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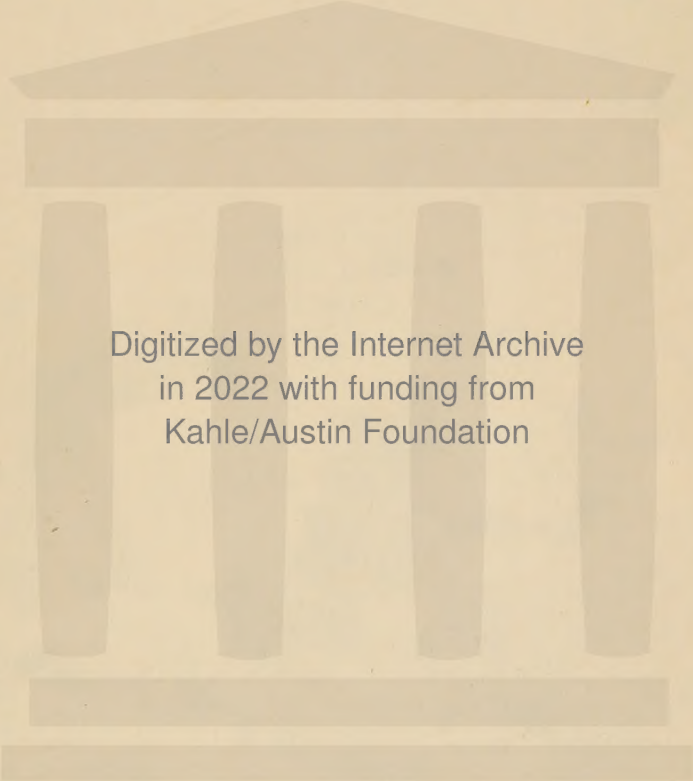
AMERICA  

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THE CRITICAL PERIOD  
1783—1803







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THE AMERICAN PEACE COMMISSION; JAY, ADAMS, FRANKLIN, LAURENS  
AND FRANKLIN'S GRANDSON, WILLIAM FRANKLIN  
*(From the unfinished painting by Benjamin West)*



# AMERICA

Great Crises In Our History  
Told by Its Makers

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Volume IV  
The Critical Period  
1783—1803

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VETERANS OF FOREIGN WARS  
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## TABLE OF CONTENTS

### VOLUME IV

	PAGE
A NEW WORLD POWER. By Thomas Pownall . . .	11
THE PUBLIC LAND PROBLEM. By Thomas Paine . . .	18
FACING BANKRUPTCY AND MUTINY. By John Fiske .	27
MUTINOUS TROOPS THREATEN CONGRESS. By Elias Boudinot, President of Congress . . . . .	36
EXPLAINING THE TREATY OF PARIS. By Adams, Frank- lin, Jay and Laurens . . . . .	43
THE TREATY OF PARIS NEGOTIATIONS. By John Fiske .	48
THE MEANING OF AMERICAN DEMOCRACY. By François Jean, Marquis de Chastellux . . . . .	61
AMERICAN CHARACTERISTICS. By Benjamin Franklin .	68
HOW SETTLEMENTS WERE PLANTED. By William Cooper	77
WHY THE CONFEDERATION FAILED TO WORK. By James Madison . . . . .	83
ENGLAND AND THE UNITED STATES AT LOGGERHEADS. By John Frederick Sackville, Duke of Dorset . . .	91
OUR FIRST MINISTER TO ENGLAND. By John Adams . .	93
WEATHERING A CRISIS. By George Washington . . .	100
EVILS THAT PROMPTED SHAYS' REBELLION. By General Benjamin Lincoln . . . . .	106
FRAMING THE CONSTITUTION. By Delegate James Mad- ison . . . . .	113

	PAGE
THE NORTHWEST ORDINANCE. By Nathan Dane . . . . .	140
HOW JOHN HANCOCK SUPPORTED THE CONSTITUTION. By Stephen Higginson . . . . .	146
THE NORTHWEST FUR TRADE. By Captain William Sturgis . . . . .	151
WASHINGTON BECOMES OUR FIRST PRESIDENT. From William Maclay's Journal . . . . .	163
WASHINGTON'S INAUGURAL ADDRESS . . . . .	167
WHY THE WEST WOULD NOT SECEDE. By General Rufus Putnam . . . . .	171
THE DISCOVERY OF THE COLUMBIA RIVER. By Edward G. Porter . . . . .	178
THE INVENTION OF THE COTTON GIN. By Horace Greeley . . . . .	184
ANTHONY WAYNE ROUTS THE OHIO INDIANS. By Richard Hildreth . . . . .	197
THE X Y Z CORRESPONDENCE. By the Commissioners Pinckney, Marshall and Gerry . . . . .	204
WASHINGTON'S FAREWELL ADDRESS TO THE PEOPLE OF THE UNITED STATES . . . . .	209
WASHINGTON AS A HOST AT MOUNT VERNON. By John Bernard . . . . .	234
THE DEATH OF WASHINGTON. By John Marshall . . . . .	245
FUNERAL ORATION ON WASHINGTON. By Major-Gen- eral Henry Lee . . . . .	253
JEFFERSON'S ESTIMATE OF WASHINGTON. By Thomas Jefferson . . . . .	262
HOW JEFFERSON WAS ELECTED PRESIDENT. By Senator Charles Pinckney . . . . .	266

# TABLE OF CONTENTS

7

PAGE

HAMILTON'S ESTIMATE OF JEFFERSON. By Alexander Hamilton . . . . .	272
WEBSTER'S IMPRESSION OF JEFFERSON. By Daniel Webster . . . . .	279
JEFFERSON'S ESTIMATE OF PATRICK HENRY. As reported by Daniel Webster . . . . .	282
THE IMPORTANCE OF LOUISIANA TO THE STATES. By President Thomas Jefferson . . . . .	287
HOW NAPOLEON PERSISTED IN SELLING LOUISIANA. By Lucien Bonaparte . . . . .	294
THE NECESSITY OF A CONSTITUTION. By Alexander Hamilton (From the <i>Federalist</i> ) . . . . .	304
VIEW OF THE POWERS VESTED IN THE UNION. By James Madison (From the <i>Federalist</i> ) . . . . .	312





THE CRITICAL PERIOD  
1783—1803



## A NEW WORLD POWER

By Thomas Pownall

AT THE time Pownall wrote this article, at the beginning of the nineteenth century, he was a Member of Parliament and introduced a bill for making peace with the United States, which he previously had declared were lost forever as English colonies. The bill was defeated, largely because Pownall, although he had attended the Albany Congress in 1754, and had been governor of Massachusetts from 1757 to 1760, was regarded as a visionary. This is the first published prophecy of the future greatness of the United States as a sovereign nation.

Posterity credits Pownall with possessing deep insight in foreseeing, among other things, the future preponderance of the English race in America. He had an instinctive grasp of American political tendencies, and was a supporter of the rights of the colonies.

Europe may reason or negotiate upon this idea, as a matter sub lite. The powers of those Governments may fight about it as a new power coming into establishment; such negotiations, and such wars, are of no consequence either to the right or the fact. It would be just as wise, and just as effectual, if they were to go to war to decide, or set on foot negotiations to

NORTH AMERICA is become a new primary planet in the system of the world, which while it takes its own course, in its own orbit, must have effect on the orbit of every other planet, and shift the common center of gravity of the whole system of the European world.

North America is de facto an independent power which has taken its equal station with other powers, and must be so de jure. The politicians of the Governments of

settle, to whom for the future the sovereignty of the moon should belong. The moon has been long common to them all, and they may all in their turns profit of her reflected light. The independence of America is fixed as fate; she is mistress of her own fortune; knows that she is so, and will actuate that power which she feels she has, so as to establish her own system, and to change the system of Europe. . . .

If the powers of Europe will view the state of things as they do really exist, and will treat them as being what they are, the lives of thousands may be spared; the happiness of millions may be secured; and the peace of the whole world preserved. If they will not, they will be plunged into a sea of troubles, a sea of blood, fathomless and boundless. The war that has begun to rage betwixt Britain, France and Spain, which is almost gorged betwixt Britain and America, will extend itself to all the maritime, and most likely, afterwards, to all the inland powers of Europe; and like the Thirty Years' War of the sixteenth and seventeenth centuries, will not end, but as that did, by a new and general resettlement of powers and interests, according to the new spirit of the new system which has taken place. . . .

There is nowhere in the European part of the old world such a greatness of interwoven and combined interest, communicating through such largeness of territory, as that in North America, possessed and actuated by the English nation. The northern and southern parts of Europe, are possessed by different



nations, actuated by different spirits, and conducted under very different systems. . . .

On the contrary, when the site and circumstances of the large extended territories of North America are examined, one finds everything united in it which forms greatness of dominions, amplitude and growth of state.

The nature of the coast and of the winds upon that coast, is such as renders marine navigation, from one end of its extent to the other, a perpetually moving intercourse of communion: and the nature of the rivers which open (where marine navigation ends) an inland navigation which, with short interruptions, carries on a circulation throughout the whole, renders such inland navigation but a further process of that communion; all which becomes, as it were, a one vital principle of life, extended through a one organized being. . . .

Whether the islands, in those parts called the West Indies, are naturally parts of this North American communion, is a question, in the detail of it, of curious speculation, but of no doubt as to the fact. . . .

. . . The civilizing activity of the human race, is what forms the growth of state. . . .

In this new world we see all the inhabitants not only free, but allowing an universal naturalization to all who wish to be so; and an uncontrolled liberty of using any mode of life they choose, or any means of getting a livelihood that their talents lead them to. Free of all restraints, which take the property of

themselves out of their own hands, their souls are their own, and their reason; they are their own masters, and they act; their labor is employed on their own property, and what they produce is their own. In a country like this, where every man has the full and free exertion of his powers, where every man may acquire any share of the good things thereof, or of interest and power which his spirit can work him up to; there, an unabated application of the powers of individuals, and a perpetual struggle of their spirits, sharpens their wits, and gives constant training to the mind. The acquirement of information in things and business, which becomes necessary to this mode of life, gives the mind, thus sharpened, and thus exercised, a turn of inquiry and investigation which forms a character peculiar to these people, which is not to be met with, nor ever did exist in any other to the same degree, unless in some of the ancient republics, where the people were under the same predicament. This turn of character, which, in the ordinary occurrences of life, is called inquisitiveness, and which, when exerted about trifles, goes even to a degree of ridicule in many instances, is yet, in matters of business and commerce, a most useful and efficient talent. . . .

. . . In America, the wisdom and not the man is attended to; and America is peculiarly a poor man's country. . . . They find themselves at liberty to follow what mode they like; they feel that they can venture to try experiments, and that the advantages

of their discoveries are their own. They, therefore, try what the soil claims, what the climate permits, and what both will produce and sustain to the greatest advantage. . . .

Although the civilizing activity of America does not, by artificial and false helps, contrary to the natural course of things, inconsistent with, and checking the first applications of, its natural labor, and before the community is ripe for such endeavor, attempt to force the establishment of manufactures; yet following, as use and experience lead, the natural progress of improvement, it is every year producing a surplus profit; which surplus, as it enters again into the circulation of productive employment, creates an accumulating accelerated progressive series of surpluses. With these accumulated surpluses of the produce of the earth and seas, and not with manufactures, the Americans carry on their commercial exertions. Their fish, wheat, flour, rice, tobacco, indigo, live stock, barrel pork and beef (some of these articles being peculiar to the country and staple commodities) form the exports of their commerce. This has given them a direct trade to Europe; and, with some additional articles, a circuitous trade to Africa and the West Indies.

The same ingenuity of mechanic handicraft, which arises concomitant with agriculture, does here also rise concomitant with commerce, and is exerted in shipbuilding: it is carried on, not only to serve all the purposes of their own carriage, and that of the West

Indies in part, but to an extent of sale, so as to supply great part of the shipping of Britain; and further, if it continues to advance with the same progress, it will supply great part of the trade of Europe also with shipping, at cheaper rates than they can anywhere, or by any means, supply themselves.

Thus their commerce, although subsisting (while they were subordinate provinces) under various restrictions, by its advancing progress in ship-building, has been striking deep root, and is now shot forth an active commerce, growing into amplitude of state and great power. . . .

I will here, therefore, from this comparison of the spirit of civilizing activity in the old and in the new world, as one sees it in its application to agriculture, handicrafts, and mechanics, and finally in an active commerce, spatiating on an amplitude of base, the natural communion of a great country, and rising in a natural progression, venture to assert, that in this point, North America has advanced, and is every day advancing, to growth of state, with a steady and continually accelerating motion, of which there has never yet been any example in Europe.

But farther; when one looks to the progressive population which this fostering happiness does, of course, produce, one cannot but see, in North America, that God's first blessing, "Be fruitful and multiply; replenish the earth and subdue it," has operated in full manifestation of His will. . . .



This might have been, indeed, the spirit of the British Empire, America being a part of it: This is the spirit of the Government of the new Empire of America, Great Britain being no part of it. It is a vitality, liable, indeed, to many disorders, many dangerous diseases; but it is young and strong, and will struggle, by the vigor of internal healing principles of life, against those evils, and surmount them; like the infant Hercules, it will strangle these serpents in its cradle. Its strength will grow with its years, and it will establish its constitution, and perfect adulthood in growth of state.

To this greatness of empire it will certainly arise. That it is removed three thousand miles distant from its enemy; that it lies on another side of the globe where it has no enemy; that it is earth-born, and like a giant ready to run its course, are not alone the grounds and reasons on which a speculatist may pronounce this. The fostering care with which the rival powers of Europe will nurse it, ensures its establishment beyond all doubt or danger.

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## THE PUBLIC LAND PROBLEM

By Thomas Paine

*THIS* attack by Thomas Paine on Virginia's unlimited claims to western territory followed closely upon an appeal to Congress from the settlers of Kentucky, denying the rights of Virginia to govern what was known as the Illinois country, or Northwest Territory, as a dependency, and asking to be taken into the Union as a State. The aforesaid territory, including Kentucky proper, had been acquired by conquest of Colonel George Rogers Clark the year before Paine wrote this remonstrance.

Following the British defeat at Yorktown, the conflicting claims of other colonies and land companies, and the refusal of Maryland otherwise to join the Union, led Virginia, in 1784, to cede the disputed territory to the Confederation—largely as a result of public opinion growing out of this article—reserving only a small portion for her war veterans.

THE condition of the vacant western territory of America makes a very different case to that of the circumstances of trade in any of the States. Those very lands, formed, in contemplation, the fund by which the debt of America would in a course of years be redeemed. They were considered as the common right of all; and it is only till lately that any pretension of claims has been made to the contrary. . . .

. . . in the year 1609, the South-Virginia company applied for new

powers from the Crown of England, which were granted them in a new patent, and the boundaries of the grant enlarged; and this is the charter or patent on which some of the present Virginians ground their pretension to boundless territory. . . .

But whether the charter, as it is called, ought to be extinct or not, cannot make a question with us. All the parties concerned in it are deceased, and no successors, in any regular line of succession, appear to claim. Neither the London company of adventurers, their heirs or assigns, were in possession of the exercise of this charter at the commencement of the Revolution; and therefore the State of Virginia does not, in point of fact, succeed to and inherit from the company. . . .

But if, as I before mentioned, there was a charter, which bore such an explanation, and that Virginia stood in succession to it, what would that be to us any more than the will of Alexander, had he taken it in his head to have bequeathed away the world? Such a charter or grant must have been obtained by imposition and a false representation of the country, or granted in error, or both; and in any of, or all, these cases, the United States must reject the matter as something they can know nothing of, for the merits will not bear an argument, and the pretention of right stands upon no better ground. . . .

The claim being unreasonable in itself and standing on no ground of right, but such as, if true, must from the quarter it is drawn be offensive, has a tendency to create disgust and sour the minds of the rest of the states. Those lands are capable, under the management of the United States, of repaying the charges of the war, and some of which, as I shall here-

after show, might, I presume, be made an immediate advantage of.

I distinguish three different descriptions of lands in America at the commencement of the Revolution. Proprietary or chartered lands, as was the case in Pennsylvania. Crown lands, within the described limits of any of the crown governments; and crown residuary lands that were without or beyond the limits of any province; and those last were held in reserve whereon to erect new governments and lay out new provinces; as appears to have been the design by Lord Hillsborough's letter and the president's answer, wherein he says "with respect to the establishment of a new colony on the back of Virginia, it is a subject of too great political importance for me to presume to give an opinion upon; however permit me, my lord, to observe, that when that part of the country shall become populated it may be a wise and prudent measure."

The expression is a "new colony on the back of Virginia;" and referred to lands between the heads of the rivers and the Ohio. This is a proof that those lands were not considered within but beyond the limits of Virginia as a colony; and the other expression in the letter is equally descriptive, namely, "We do not presume to say to whom our gracious sovereign shall grant his vacant lands." Certainly then, the same right, which, at that time, rested in the crown rests now in the more supreme authority of the United States. . . .



It must occur to every person on reflection that those lands are too distant to be within the government of any of the present States. . . .

It is only the United States, and not any single State, that can lay off new States and incorporate them in the union by representation; therefore the situation which the settlers on those lands will be in, under the assumed right of Virginia, will be hazardous and distressing, and they will feel themselves at last like aliens to the commonwealth of Israel, their habitations unsafe and their title precarious. . . .

It seldom happens that the romantic schemes of extensive dominion are of any service to a government, and never to a people. They assuredly end at last in loss, trouble, division and disappointment. And was even the title of Virginia good, and the claim admissible, she would derive more lasting and real benefit by participating it than by attempting the management of an object so infinitely beyond her reach. Her share with the rest, under the supremacy of the United States, which is the only authority adequate to the purpose, would be worth more to her, than what the whole would produce under the management of herself alone, and that for several reasons.

First, because her claim not being admissible nor yet manageable, she cannot make a good title to the purchasers, and consequently can get but little for the lands.

Secondly, because the distance the settlers will be at from her, will immediately put them out of all

government and protection, so far, at least, as relate to Virginia; and by this means she will render her frontiers a refuge to desperadoes, and a hiding place from justice; and the consequence will be perpetual unsafety to her own peace and that of the neighboring States. . . .

Lastly, because she must sooner or later relinquish them, and therefore to see her own interest wisely at first, is preferable to the alternative of finding it out by misfortune at last. . . .

I have already remarked that only the United States and not any particular State can lay off new States and incorporate them in the union by representation; keeping, therefore, this idea in view, I ask, might not a substantial fund be quickly created by laying off a new State, so as to contain between twenty and thirty million of acres, and opening a land office in all the countries in Europe for hard money, and in this country for supplies in kind at a certain price. . . .

If twenty millions of acres of this new State be patented and sold at twenty pounds sterling per hundred acres they will produce four million pounds sterling, which, if applied to continental expenses only will support the war for three years should Britain be so unwise to herself to prosecute it against her own direct interest and against the interest and policy of all Europe. The several States will then have to raise taxes for their internal government only, and the continental taxes as soon as the fund begins to operate

will lessen, and if sufficiently productive will cease. . . .

I shall now enquire into the effects which the laying out of a new State, under the authority of the United States, will have upon Virginia.

It is the very circumstance she ought to and must wish for when she examines the matter through all its cases and consequences.

The present settlers being beyond her reach, and her supposed authority over them remaining in herself, they will appear to her as revolters, and she to them as oppressors; and this will produce such a spirit of mutual dislike that in a little time a total disagreement will take place, to the disadvantage of both.

But under the authority of the United States the matter is manageable, and Virginia will be eased of a disagreeable consequence.

Besides this, a sale of the lands, continentally, for the purpose of supporting the expense of the war, will save her a greater share of taxes than what the small sale she could make herself, and the small price she could get for them, would produce.

She would likewise have two advantages which no other State in the Union enjoys, first, a frontier State for her defense against the incursions of the Indians; and the second is, that the laying out and peopling a new State on the back of an old one, situated as she is, is doubling the quantity of its trade.

The new State, which is here proposed to be laid out, may send its exports down the Mississippi, but

its imports must come through Chesapeake Bay, and consequently Virginia will become the market for the new State; because, though there is a navigation from it, there is none into it, on account of the rapidity of the Mississippi.

There are certain circumstances that will produce certain events whether men think of them or not. The events do not depend upon thinking, but are the natural consequence of acting; and according to the system which Virginia has gone upon, the issue will be that she will get involved with the back settlers in a contention about rights till they dispute with her her own claims, and, soured by the contention, will go to any other State for their commerce; both of which may be prevented, a perfect harmony established, the strength of the States increased, and the expenses of the war defrayed, by settling the matter now on the plan of a general right; and every day it is delayed the difficulty will be increased and the advantages lessened. . . .

As the laying out new States will some time or other be the business of the country, and as it is yet a new business to us; and as the influence of the war has scarcely afforded leisure for reflecting on distant circumstances, I shall throw together a few hints for facilitating that measure, whenever it may be proper for adopting it.

The United States now standing on the line of sovereignty, the vacant territory is their property collectively, but the persons by whom it may hereafter

be peopled will have an equal right with ourselves; and therefore, as new States shall be laid off and incorporated with the present, they will become partakers of the remaining territory with us who are already in possession. And this consideration ought to heighten the value of lands to new emigrants; because, in making purchases, they not only gain an immediate property, but become initiated into the right and heirship of the States to a property in reserve, which is an additional advantage to what any purchasers under the late government of England enjoyed.

The setting off the boundary of any new State will naturally be the first step, and as it must be supposed not to be peopled at the time it is laid off, a constitution must be formed, by the United States, as the rule of government in any new State, for a certain term of years, (perhaps ten) or until the State become peopled to a certain number of inhabitants; after which, the whole and sole right of modeling their government to rest with themselves.

A question may arise, whether a new State should immediately possess an equal right with the present ones in all cases which may come before Congress.

This, experience will best determine; but at first view of the matter it appears thus: That it ought to be immediately incorporated into the Union on the ground of a family right, such a State standing in the line of a younger child of the same stock; but as new emigrants will have something to learn when they first come to America, and a new State requiring aid



rather than capable of giving it, it might be most convenient to admit its immediate representation into Congress, there to sit, hear, and debate, on all questions and matters, but not to vote on any till after the expiration of seven years.

I shall in this place take the opportunity of renewing a hint which I formerly threw out in the pamphlet "Common Sense," and which the several States will, sooner or later, see the convenience, if not the necessity, of adopting; which is, that of electing a Continental Convention, for the purpose of forming a Continental Constitution, defining and describing the powers and authority of Congress.

## FACING BANKRUPTCY AND MUTINY

By John Fiske

**THE** fate of the Republic has never been more precarious than during the period that immediately followed the surrender of Cornwallis at Yorktown. There was no money to pay off the army, and the soldiers were daily becoming more restive and irritated.

Newburgh, New York, was the headquarters of the army from March, 1782, until the latter part of 1783, and it was there that the Newburgh Addresses were circulated, that the army was disbanded, and that Washington received the famous Nicola letter proposing that he become King. There is no doubt, as the historian, Fiske, indicates, but that Washington could have formed a monarchy at this time and been almost unanimously supported by the army. Its mutinous temper is manifested in this review, taken from John Fiske's "*Critical Period of American History*" and is reprinted here by special arrangement with the publishers, Houghton, Mifflin and Company.

**I**MPOSSIBLE as Congress found it to fill the quotas of the army, the task of raising a revenue by requisitions upon the States was even more discouraging. Every State had its own war debt, and several were applicants for foreign loans not easy to obtain, so that none could without the greatest difficulty raise a surplus to hand over to Congress. The Continental rag money had ceased to circulate by the end of 1780, and our foreign credit was nearly ruined. The French Government began to complain of the heavy demands which the Americans made upon its

exchequer, and Vergennes, in sending over a new loan in the fall of 1782, warned Franklin that no more must be expected. To save American credit

from destruction it was at least necessary that the interest on the public debt should be paid. For this purpose Congress in 1781 asked permission to levy a five per cent. duty on imports. The modest request was the signal for a year of angry discussion. Again and again it was asked, If taxes could thus be levied by any power outside the State, why had we ever opposed the Stamp Act or the tea duties? The question was indeed a serious one, and as an instance of reasoning from analogy seemed plausible enough. After more than a year Massachusetts consented, by a bare majority of two in the House and one in the Senate, reserving to herself the right of appointing the collectors. The bill was then vetoed by Governor Hancock, though one day too late, and so it was saved. But Rhode Island flatly refused her consent, and so did Virginia, though Madison earnestly pleaded the cause of the public credit. For the current expenses of the government in that same year \$9,000,000 were needed. It was calculated that \$4,000,000 might be raised by a loan, and the other \$5,000,000 were demanded of the States. At the end of the year \$422,000 had been collected, not a cent of which came from Georgia, the Carolinas, or Delaware. Rhode Island, which paid \$38,000, did the best of all according to its resources. Of the Continental taxes assessed in 1783, only one-fifth part had been paid by the middle of 1785. And the worst of it was that no one could point to a remedy for this state of things, or assign any probable end to it.

Under such circumstances the public credit sank at home as well as abroad. Foreign creditors—even France, who had been nothing if not generous with her loans—might be made to wait; but there were creditors at home who, should they prove ugly, could not be so easily put off. The disbandment of the army in the summer of 1783, before the British troops had evacuated New York, was hastened by the impossibility of paying the soldiers and the dread of what they might do under such provocation. Though peace had been officially announced, Hamilton and Livingston urged that, for the sake of appearances if for no other reason, the army should be kept together so long as the British remained in New York, if not until they should have surrendered the western frontier posts. But Congress could not pay the army, and was afraid of it,—and not without some reason. Discouraged at the length of time which had passed since they had received any money, the soldiers had begun to fear lest, now that their services were no longer needed, their honest claims would be set aside. . . . At this critical moment Washington had earnestly appealed to Congress, and against the strenuous opposition of Samuel Adams had at length extorted the promise of half-pay for life. In the spring of 1782, seeing the utter inability of Congress to discharge its pecuniary obligations, many officers began to doubt whether the promise would ever be kept. It had been made before the Articles of Confederation, which required the assent of nine States to any such measure,

had been finally ratified. It was well known that nine States had never been found to favor the measure, and it was now feared that it might be repealed or repudiated, so loud was the popular clamor against it.

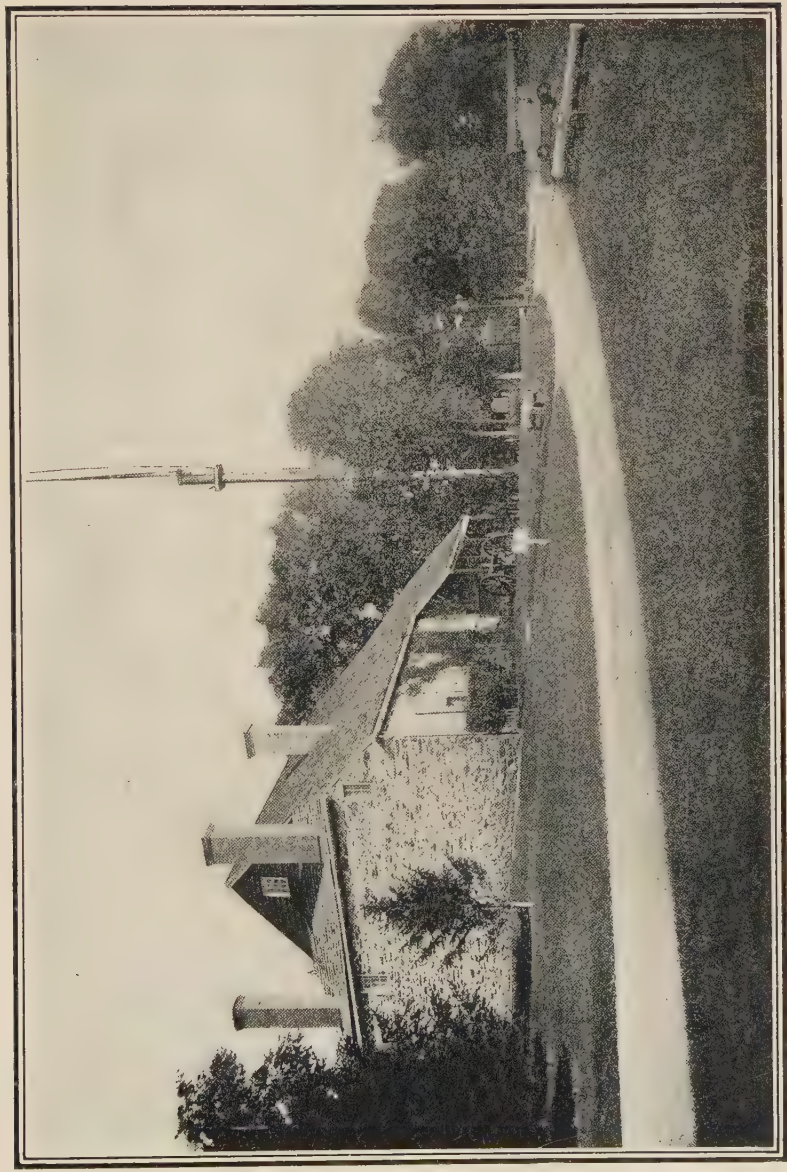
All this comes of republican government, said some of the officers; too many cooks spoil the broth; a dozen heads are as bad as no head; you do not know whose promises to trust; a monarchy, with a good king whom all men can trust, would extricate us from these difficulties. In this mood, Colonel Louis Nicola, of the Pennsylvania line, a foreigner by birth, addressed a long and well-argued letter to Washington, setting forth the troubles of the time, and urging him to come forward as a savior of society, and accept the crown at the hands of his faithful soldiers. Nicola was an aged man, of excellent character, and in making this suggestion he seemed to be acting as spokesman of a certain clique or party among the officers—how numerous is not known. Washington instantly replied that Nicola could not have found a person to whom such a scheme could be more odious, and he was at a loss to conceive what he had ever done to have it supposed that he could for one moment listen to a suggestion so fraught with mischief to his country. Lest the affair, becoming known, should enhance the popular distrust of the army, Washington said nothing about it. But as the year went by, and the outcry against half-pay continued, and Congress showed symptoms of a willingness to compromise the matter, the discontent of the army increased. Officers



and soldiers brooded alike over their wrongs. "The Army," said General Macdougall, "is verging to that state which, we are told, will make a wise man mad." The peril of the situation was increased by the well-meant but injudicious whisperings of other public creditors, who believed that if the army would only take a firm stand and insist upon a grant of permanent funds to Congress for liquidating all public debts, the States could probably be prevailed upon to make such a grant. Robert Morris, the able Secretary of Finance, held this opinion, and did not believe that the States could be brought to terms in any other way. His namesake and assistant, Gouverneur Morris, held similar views, and gave expression to them in February, 1783, in a letter to General Greene, who was still commanding in South Carolina. When Greene received the letter, he urged upon the legislature of that State, in most guarded and moderate language, the paramount need of granting a revenue to Congress, and hinted that the army would not be satisfied with anything less. The assembly straightway flew into a rage, and shouted, "No dictation by a Cromwell!" South Carolina had consented to the five per cent. impost, but now she revoked it, to show her independence; and Greene's eyes were opened at once to the danger of the slightest appearance of military intervention in civil affairs.

At the same time a violent outbreak in the army at Newburgh was barely prevented by the unfailing tact of Washington. A rumor went about the camp that

it was generally expected the army would not disband until the question of pay should be settled, and that the public creditors looked to them to make some such demonstration as would overawe the delinquent States. General Gates had lately emerged from the retirement in which he had been fain to hide himself after Camden, and had rejoined the army, where there was now such a field for intrigue. An odious aroma of impotent malice clings about his memory on this last occasion on which the historian needs to notice him. He plotted in secret with officers of the staff and others. One of his staff, Major Armstrong, wrote an anonymous appeal to the troops, and another, Colonel Barber, caused it to be circulated about the camp. It named the next day for a meeting to consider grievances. Its language was inflammatory. "My friends!" it said, "after seven long years your suffering courage has conducted the United States of America through a doubtful and bloody war; and peace returns to bless—whom? A country willing to redress your wrongs, cherish your worth, and reward your services? Or is it rather a country that tramples upon your rights, disdains your cries, and insults your distresses? . . . If such be your treatment while the swords you wear are necessary for the defence of America, what have you to expect when those very swords, the instruments and companions of your glory, shall be taken from your sides, and no mark of military distinction left but your wants, infirmities and scars? If you have sense enough to discover and



THE OLD HASBROUCK MANSION, NEWBURGH, NEW YORK. WASHINGTON'S HEADQUARTERS IN 1782-83. WASHINGTON WAS LIVING HERE AT THE TIME OF THE THREATENED MUTINY IN THE ARMY



spirit to oppose tyranny, whatever garb it may assume, awake to your situation. If the present moment be lost, your threats hereafter will be as empty as your entreaties now. Appeal from the justice to the fears of government, and suspect the man who would advise to longer forbearance."

Better English has seldom been wasted in a worse cause. Washington, the man who was aimed at in the last sentence, got hold of the paper next day, just in time, as he said, "to arrest the feet that stood wavering on a precipice." The memory of the revolt of the Pennsylvania line, which had so alarmed the people in 1781, was still fresh in men's minds; and here was an invitation to more wholesale mutiny, which could hardly fail to end in bloodshed, and might precipitate the perplexed and embarrassed country into civil war.

Washington issued a general order, recognizing the existence of the manifesto, but overruling it so far as to appoint the meeting for a later day, with the senior major-general who happened to be Gates, to preside. This order, which neither discipline nor courtesy could disregard, in a measure tied Gates's hands, while it gave Washington time to ascertain the extent of the disaffection. On the appointed day he suddenly came into the meeting, and amid profoundest silence broke forth in a most eloquent and touching speech. Sympathizing keenly with the sufferings of his hearers, and fully admitting their claims, he appealed to their better feelings, and reminded them of the terrible difficulties under which Congress labored, and of the folly



of putting themselves in the wrong. He still counselled forbearance as the greatest of victories, and with consummate skill he characterized the anonymous appeal as undoubtedly the work of some crafty emissary of the British, eager to disgrace the army which they had not been able to vanquish. All were hushed by that majestic presence and those solemn tones. The knowledge that he had refused all pay, while enduring more than any other man in the room, gave added weight to every word. In proof of the good faith of Congress, he began reading a letter from one of the members, when, finding his sight dim, he paused and took from his pocket the new pair of spectacles which the astronomer David Rittenhouse had just sent him. He had never worn spectacles in public, and as he put them on he said, in his simple manner and with his pleasant smile, "I have grown gray in your service, and now find myself growing blind." While all hearts were softened he went on reading the letter, and then withdrew, leaving the meeting to its deliberations.

There was a sudden and mighty revulsion of feeling. A motion was reported declaring "unshaken confidence in the justice of Congress"; and it was added that "the officers of the American army view with abhorrence and reject with disdain the infamous proposals contained in a late anonymous address to them." The crestfallen Gates, as chairman, had nothing to do but put the question and report it carried unanimously; for if any still remained obdurate

they no longer dared to show it. Washington immediately set forth the urgency of the case in an earnest letter to Congress and one week later the matter was settled by an act commuting half-pay for life into a gross sum equal to five years' full pay, to be discharged at once by certificates bearing interest at six per cent. Such poor paper was all that Congress had to pay with, but it was all ultimately redeemed; and while the commutation was advantageous to the government, it was at the same time greatly for the interest of the officers, while they were looking out for new means of livelihood, to have their claims adjusted at once, and to receive something which could do duty as a respectable sum of money. . . .

## MUTINOUS TROOPS THREATEN CONGRESS

*By Elias Boudinot, President of Congress*

*THIS letter, dated Princeton, New Jersey, July 15, 1783, was written by the president of the Continental Congress to our ministers plenipotentiary, Adams, Franklin and Jay, who were in Paris negotiating the treaty of peace with Great Britain, which concluded the Revolutionary War. It was Boudinot who signed its ratification.*

*A few days before this letter was written, Congress, being openly defied and menaced by a considerable number of Pennsylvania recruits, who objected to being discharged from the army without pay, had hurriedly adjourned from Philadelphia to Princeton. Never before or since has the Congress of the United States undergone such a humiliating ordeal; and the episode clearly illustrates the general demoralization of the country in those trying days.*

*Boudinot was a member of the first three Congresses, was director of the Mint from 1795 to 1805, and was the first president of the American Bible Society.*

AS CONGRESS has not yet elected any minister for foreign affairs, and knowing the importance of your being fully informed of every public transaction relative to these States, I have concluded that you would not think it amiss to hear from me on the subject of the removal of Congress to this place, though I can not consider this communication as official, but merely for your information in my individual capacity.

The state of our finances making it indispensably necessary to abridge the public expenses in every instance that would not endanger

the Union, we concluded to reduce the army by discharging all the soldiers enlisted for the war, with a

proportionate number of officers, on condition that the discharge should operate no otherwise than as a furlough, until the ratification of the definitive treaty.

This not only eased us of a heavy disbursement of ready cash for subsistence money and rations, but gratified many of the army who wished to be at home in the early part of the summer, to provide for the following winter. Three months' pay was ordered which could not otherwise be complied with, but by a paper anticipation of the taxes, payable in six months.

By an inevitable accident, the notes did not arrive at the army till six days after the soldiers were discharged and had left the camp. This, together with some difficulty in settling their accounts, created an uneasiness among the troops, but by the General's address and the good conduct of the officers, they all retired peaceably to their different States, though without a single farthing of cash to buy themselves a meal of victuals.

In the barracks in Philadelphia and at Lancaster, in the State of Pennsylvania, there were a number of new recruits, who had been enlisted since the months of December and January last, and who had not yet taken the field; these soldiers having not been brought under any regular discipline, made many objections against accepting their discharges, and gave their officers reasons to fear some difficulty in getting rid of them; but the Secretary of War thought he had satisfied them by assuring them of the like pay with the

rest of the army. On the 15th of June a petition was received from the sergeants, requiring a redress of their grievances, in a very turbulent and indecent style, of which no notice was taken. . . . A committee was immediately appointed to confer with the executive council of Pennsylvania, and to endeavor to get them to call out the militia to stop the mutineers; but to no purpose; the council thinking that the citizens would not choose to risk themselves when fair means might do. . . . On the 19th the troops arrived and joined those at the barracks in the city, who had been increased in number by a few companies of old soldiers arrived the day before from Charles Town.

The whole being very orderly and quiet, Congress adjourned on Friday the 20th, as usual, till Monday morning. On the 21st one of the committee called on me and informed that the soldiers at the barracks were very disorderly and had cast off the authority of their officers; that it was suspected they had a design, the following night, against the bank, and advised me to call Congress without delay. This I did, to meet in half an hour. The soldiers by accident hearing of it, very fortunately hastened their designs a day or two sooner than was intended. The Members of Congress had just got together, except one, when the State House (in which also the President and Supreme Executive Council were then sitting) was surrounded by about three hundred armed men with fixed bayonets under the command of seven sergeants. Con-



gress immediately sent for General St. Clair and demanded the reason of this hostile appearance, who informed of his having just arrived in town from his seat in the country in obedience to the orders of Congress of the day preceding; that he had received information from the commanding officer of the mutinous disposition of the troops, who had marched from the barracks contrary to the orders of their officers, and that the veteran troops from Charles Town had been unwillingly forced into the measure. The president of the State then appeared, and produced the insolent paper which had been sent into him by the sergeants.

Congress determined they would enter on no deliberations while thus surrounded, but ordered General St. Clair immediately to endeavor to march the mutineers back to the barracks by such means as were in his power.

After several prudent and wise measures the General prevailed on the sergeants to return to their barracks, convincing them that if they were aggrieved they had a right to make it known in a decent manner through any persons they might think proper to appoint. But previous to this, after waiting, surrounded by this armed force for near three hours, Congress broke up and we passed through the files of the mutineers without the least opposition, though at times before our adjournment the soldiers, many of whom were very drunk, threatened Congress by name.

The mutineers had taken possession of the powder house and several public arsenals in this city, with some field pieces from the public yard. . . .

The committee, not being able to meet the council till Sunday morning, were then prevailed on to wait for an answer till Monday morning. However, hoping that the council would change their sentiments, the committee did not think proper to give me their advice till Tuesday at two o'clock in the afternoon. In the mean time the mutineers kept in arms, refusing all obedience to their officers, and in possession of the powder house and magazines of military stores. On Tuesday morning the officers reported to me that the preceding evening the sergeants, notwithstanding some talk of submission and return to their duty, had presented six officers with a commission each; and one refusing to accept it, they threatened him with immediate death; and that, at the time of the report, they were getting very drunk and in a very riotous state. By the second report of the committee you will be acquainted with the particulars of the transaction, with the addition that the behavior of the six officers was very mysterious and unaccountable. At two o'clock, agreeably to the advice of the committee, I summoned Congress to meet at this place on Thursday the 26th of June, issued a proclamation and left the city.

As soon as it was known that Congress was going, the council were informed that there was great reason to expect a serious attack on the Bank the night

following, on which the president of the State collected about one hundred soldiers and kept guard all night. On Wednesday it was reported that Congress had sent for the Commander-in-Chief with the whole northern army and the militia of New Jersey, who were to be joined by the Pennsylvania militia, in order to quell the mutiny, which was no otherwise true than ordering a detachment of a few hundred men from the North River. The sergeants, being alarmed, soon proposed a submission, and the whole came in a body to the president of the State, making a most submissive acknowledgment of their misconduct, and charging the whole on two of the officers whom they had commissioned to represent their grievances (a Captain Carbery and Lieutenant Sullivan), who were to have headed them as soon as they should have proceeded to violence. These officers immediately escaped to Chester and then got on board a vessel bound to London.

The sergeants describe the plan laid by these officers as of the most irrational and diabolical nature, not only against Congress and the council, but also against the city and bank. They were to be joined by straggling parties from different parts of the country, and after executing their horrid purposes were to have gone off with their plunder to the East Indies. However incredible this may appear, the letters from Sullivan to Colonel Moyland, his commanding officer, from Chester and the capes, clearly show that it was a deep-laid scheme. It appears clearly to me that next

to the continued care of Divine Providence, the miscarriage of this plan is owing to the unexpected meeting of Congress on Saturday, and their decided conduct in leaving the city until they could support the Federal government with dignity.

It is also said that two of the citizens have been concerned in this wicked plot, but they are not yet ascertained. They were certainly encouraged by some of the lower class as well as by the general supineness in not quelling the first movement. Some very suspicious circumstances attending the conduct of the other four officers, who were commissioned by the sergeants, have caused them to be arrested. The whole matter has so far subsided. The detachment under General Howe, from the northern army, has arrived in the vicinity of the city, and a court of enquiry is endeavoring to develop the whole affair.

The citizens are greatly chagrined at the predicament in which they stand, and endeavor to lay the blame on the council for not calling on them and proving them, while the council justify themselves by the advice of the militia officers, whom they called together for that purpose. The citizens are universally petitioning Congress to return to the city, assuring us of their constant protection. . . .

## EXPLAINING THE TREATY OF PARIS

*By Adams, Franklin, Jay and Laurens*

**T**HIS is the official statement made by the four American ministers plenipotentiary to Robert R. Livingston, then superintendent of foreign affairs, of the conditions of the preliminary treaty. This document is dated Paris, December 14, 1782. The treaty it describes was made definitive on September 3, 1783, and thus ended the Revolutionary War. Simultaneously Great Britain made peace with France and Spain at Versailles.

As finally concluded the treaty recognized the Mississippi as the western boundary of the United States, and the Great Lakes and the St. Lawrence as the northern boundary to the forty-fifth parallel. Americans were to enjoy practically the same fishing rights as the colonists had. Collection of debts was to be facilitated by both governments, and confiscations were to cease. The navigation of the Mississippi was declared free to both Britons and Americans. Featuring the negotiations leading to the recognition of American independence was the skill, talent and patience of the American commissioners.

prised of all the circumstances and reasons which have influenced the negotiation. Although it is impossible

**W**E have the honor to congratulate Congress on the signature of the preliminaries of a peace between the Crown of Great Britain and the United States of America, to be inserted in a definitive treaty so soon as the terms between the Crowns of France and Great Britain shall be agreed on. A copy of the articles is here inclosed, and we cannot but flatter ourselves that they will appear to Congress, as they do to all of us, to be consistent with the honor and interest of the United States, and we are persuaded Congress would be more fully of that opinion, if they were ap-



for us to go into that detail, we think it necessary, nevertheless, to make a few remarks on such of the articles as appear most to require elucidation.

REMARKS ON ARTICLE 2ND, RELATIVE TO BOUNDARIES.

The Court of Great Britain insisted on retaining all the territories comprehended within the Province of Quebec, by the act of Parliament respecting it. They contended that Nova Scotia should extend to the River Kennebec; and they claimed not only all the lands in the western country and on the Mississippi, which were not expressly included in our charters and governments, but also such lands within them as remained ungranted by the King of Great Britain. It would be endless to enumerate all the discussions and arguments on the subject.

We knew this Court and Spain to be against our claims to the western country, and having no reason to think that lines more favorable could ever have been obtained, we finally agreed to those described in this article; indeed, they appear to leave us little to complain of, and not much to desire. Congress will observe, that although our northern line is in a certain part below the latitude of forty-five, yet in others it extends above it, divides the Lake Superior, and gives us access to its western and southern waters, from which a line in that latitude would have excluded us.

## REMARKS ON ARTICLE 4TH, RESPECTING CREDITORS.

We had been informed that some of the States had confiscated British debts; but although each State has a right to bind its own citizens, yet, in our opinion, it appertains solely to Congress, in whom exclusively are vested the rights of making war and peace, to pass acts against the subjects of a power with which the confederacy may be at war. It therefore only remained for us to consider whether this article is founded in justice and good policy.

In our opinion, no acts of government could dissolve the obligations of good faith resulting from lawful contracts between individuals of the two countries prior to the war. We knew that some of the British creditors were making common cause with the refugees and other adversaries of our independence; besides, sacrificing private justice to reasons of state and political convenience is always an odious measure; and the purity of our reputation in this respect, in all foreign commercial countries, is of infinitely more importance to us than all the sums in question. It may also be remarked that American and British creditors are placed on an equal footing.

## REMARKS ON ARTICLE 5TH AND 6TH, RESPECTING REFUGEES.

These articles were among the first discussed and the last agreed to. And had not the conclusion of this business at the time of its date been particularly

important to the British administration, the respect which both in London and Versailles is supposed to be due to the honor, dignity and interest of royalty, would probably have forever prevented our bringing this article so near to the views of Congress and the sovereign rights of the States as it now stands. When it is considered that it was utterly impossible to render this article perfectly consistent, both with American and British ideas of honor, we presume that the middle line adopted by this article, is as little unfavorable to the former as any that could in reason be expected.

As to the separate article, we beg leave to observe, that it was our policy to render the navigation of the River Mississippi so important to Britain as that their views might correspond with ours on that subject. Their possessing the country on the river north of the line from the Lake of the Woods affords a foundation for their claiming such navigation. And as the importance of West Florida to Britain was for the same reason rather to be strengthened than otherwise, we thought it advisable to allow them the extent contained in the separate article, especially as before the war it had been annexed by Britain to West Florida, and would operate as an additional inducement to their joining with us in agreeing that the navigation of the river should forever remain open to both. The map used in the course of our negotiations was Mitchell's.

As we had reason to imagine that the articles respecting the boundaries, the refugees and fisheries did not correspond with the policy of this Court, we did not communicate the preliminaries to the minister until after they were signed; (and not even then the separate article). We hope that these considerations will excuse our having so far deviated from the spirit of our instructions. The Count de Vergennes, on perusing the articles appeared surprised, (but not displeased), at their being so favorable to us.

We beg leave to add our advice, that copies be sent us of the accounts directed to be taken by the different States, of the unnecessary devastations and sufferings sustained by them from the enemy in the course of the war. Should they arrive before the signature of the definitive treaty, they might possibly answer very good purposes.

## THE TREATY OF PARIS NEGOTIATIONS

*By John Fiske*

*THIS account of the negotiations of the most important treaty (September 3, 1783) ever made by the United States is taken from John Fiske's "Critical Period of American History," the most popular and valuable of his contributions to American history. More than any other writer of his time (1842-1901) Fiske brought home to the national consciousness a philosophic view of American history, by his remarkable power of expression and his balanced judgments.*

*This article does much to confirm the evidence that the treaty of 1783 between Great Britain and the United States, which marked the close of the Revolution, was, on the part of the American commissioners, Adams, Franklin, Jay and Laurens, "one of the most brilliant triumphs in the whole history of modern diplomacy."*

France and Spain by another, and these treaties in some respects conflicted with one another in the duties which they entailed upon the combatants. Spain, though at war with England for purposes of her own, was bitterly hostile to the United States; and France, thus leagued with two allies which pulled in opposite

FROM the policy which George III pursued with regard to Lord Shelburne at this time, one would suppose that in his secret heart the king wished, by foul means since all others had failed, to defeat the negotiations for peace and to prolong the war. Seldom has there been a more oddly complicated situation. Peace was to be made with America, France, Spain and Holland. Of these powers, America and France were leagued together by one treaty of alliance, and



directions, felt bound to satisfy both, while pursuing her own ends against England. To deal with such a chaotic state of things, an orderly and harmonious government in England should have seemed indispensably necessary. Yet on the part of England the negotiations of a treaty of peace was to be the work of two secretaries of state who were both politically and personally hostile to each other. Fox, as secretary of state for foreign affairs, had to superintend the negotiations with France, Spain, and Holland. Shelburne was secretary of state for home and colonial affairs; and as the United States were still officially regarded as colonies, the American negotiations belonged to his department. With such a complication of conflicting interests, George III might well hope that no treaty could be made.

The views of Fox and Shelburne as to the best method of conceding American independence were very different. Fox understood that France was really in need of peace, and he believed that she would not make further demands upon England if American independence should once be recognized. Accordingly, Fox would have made this concession at once as a preliminary to the negotiation. On the other hand, Shelburne felt sure that France would insist upon further concessions, and he thought it best to hold in reserve the recognition of independence as a consideration to be bargained for. Informal negotiations began between Shelburne and Franklin, who for many years had been warm friends. In view of

the impending change of government, Franklin had in March sent a letter to Shelburne, expressing a hope that peace might soon be restored. When the letter reached London the new ministry had already been formed, and Shelburne, with the consent of the cabinet, answered it by sending over to Paris an agent, to talk with Franklin informally, and ascertain the terms upon which the Americans would make peace.

The person chosen for this purpose was Richard Oswald, a Scotch merchant, who owned large estates in America,—a man of very frank disposition and liberal views, and a friend of Adam Smith. In April, Oswald had several conversations with Franklin. In one of these conversations Franklin suggested that, in order to make a durable peace, it was desirable to remove all occasion for future quarrel; that the line of frontier between New York and Canada was inhabited by a lawless set of men, who in time of peace would be likely to breed trouble between their respective governments; and that therefore it would be well for England to cede Canada to the United States. A similar reasoning would apply to Nova Scotia. By ceding these countries to the United States it would be possible, from the sale of unappropriated lands, to indemnify the Americans for all losses of private property during the war, and also to make reparation to the Tories, whose estates had been confiscated. By pursuing such a policy, England, which had made war on America unjustly, and had wantonly done it great injuries, would achieve not merely peace, but re-

conciliation, with America; and reconciliation, said Franklin, is "a sweet word." No doubt this was a bold tone for Franklin to take, and perhaps it was rather cool in him to ask for Canada and Nova Scotia; but he knew that almost every member of the Whig ministry had publicly expressed the opinion that the war against America was an unjust and wanton war; and being, moreover, a shrewd hand at a bargain, he began by setting his terms high.

Oswald doubtless looked at the matter very much from Franklin's point of view, for on the suggestion of the cession of Canada he expressed neither surprise nor reluctance. Franklin had written on a sheet of paper the main points of his conversation, and, at Oswald's request, he allowed him to take the paper to London to show to Lord Shelburne, first writing upon it a note expressly declaring its informal character. Franklin also sent a letter to Shelburne, describing Oswald as a gentleman with whom he found it very pleasant to deal. On Oswald's arrival in London, Shelburne did not show the notes of the conversation to any of his colleagues, except Lord Ashburton. He kept the paper over one night, and then returned it to Franklin without any formal answer. But the letter he showed to the cabinet, and on the 23d of April it was decided to send Oswald back to Paris, to represent to Franklin that, on being restored to the same situation in which she was left by the treaty of 1763, Great Britain would be willing to recognize the independence of the United States. Fox was authorized

to make a similar representation to the French government, and the person whom he sent to Paris for this purpose was Thomas Grenville, son of the author of the Stamp Act.

As all British subjects were prohibited from entering into negotiations with the revolted colonies, it was impossible for Oswald to take any decisive step until an enabling act should be carried through Parliament. But while waiting for this he might still talk informally with Franklin. Fox thought that Oswald's presence in Paris indicated a desire on Shelburne's part to interfere with the negotiations with the French government; and indeed, the king, out of his hatred of Fox and his inborn love of intrigue, suggested to Shelburne that Oswald "might be a useful check on that part of the negotiations which was in other hands." But Shelburne paid no heed to this crooked advice, and there is nothing to show that he had the least desire to intrigue against Fox. If he had, he would certainly have selected some other agent than Oswald, who was the most straightforward of men, and scarcely close-mouthed enough for a diplomatist. He told Oswald to impress it upon Franklin that if America was to be independent at all she must be independent of the whole world, and must not enter into any secret arrangement with France which might limit her entire freedom of action in the future. To the private memorandum which desired the cession of Canada for three reasons, his answers were as follows: "1. By way of reparation.—Answer. No repar-

ation can be heard of. 2. To prevent future wars.—Answer. It is to be hoped that some more friendly method will be found. 3. As a fund of indemnification to loyalists.—Answer. No independence to be acknowledged without their being taken care of.” Besides, added Shelburne, the Americans would be expected to make some compensation for the surrender of Charleston, Savannah, and the city of New York, still held by British troops. From this it appears that Shelburne, as well as Franklin, knew how to begin by asking more than he was likely to get. . . .

The task of making a treaty of peace was simplified both by a change of the British ministry and by the total defeat of the Spaniards and French at Gibraltar in September. Six months before, England had seemed worsted in every quarter. Now England, though defeated in America, was victorious as regarded France and Spain. The avowed object for which France had entered into alliance with the Americans was to secure the independence of the United States, and this point was now substantially gained. The chief object for which Spain had entered into alliance with France was to drive the English from Gibraltar, and this point was now decidedly lost. France had bound herself not to desist from the war until Spain should recover Gibraltar; but now there was little hope of accomplishing this, except by some fortunate bargain in the treaty, and Vergennes tried to persuade England to cede the great stronghold in



exchange for West Florida, which Spain had lately conquered, or for Oran or Guadaloupe. Failing in this, he adopted a plan for satisfying Spain at the expense of the United States; and he did this the more willingly as he had no love for the Americans, and did not wish to see them become too powerful. France had strictly kept her pledges; she had given us valuable and timely aid in gaining our independence; and the sympathies of the French people were entirely with the American cause. But the object of the French government had been simply to humiliate England, and this end was sufficiently accomplished by depriving her of her thirteen colonies. . . .

Upon another important point the views of the French government were directly opposed to American interests. The right to catch fish on the banks of Newfoundland had been shared by treaty between France and England; and the New England fishermen, as subjects of the king of Great Britain, had participated in this privilege. The matter was of very great importance, not only to New England, but to the United States in general. Not only were the fisheries a source of lucrative trade to the New England people, but they were the training school of a splendid race of seamen, the nursery of naval heroes whose exploits were by and by to astonish the world. To deprive the Americans of their share in these fisheries was to strike a serious blow at the strength and resources of the new nation. The British government was not inclined to grant the privilege, and on this point Ver-

gennes took sides with England, in order to establish a claim upon her for concessions advantageous to France in some other quarter. With these views, Vergennes secretly aimed at delaying the negotiations; for as long as hostilities were kept up, he might hope to extort from his American allies a recognition of the Spanish claims and a renouncement of the fisheries, simply by threatening to send them no further assistance in men or money. In order to retard the proceedings, he refused to take any steps whatever until the independence of the United States should first be irrevocably acknowledged by Great Britain, without reference to the final settlement of the rest of the treaty. In this Vergennes was supported by Franklin, as well as by Jay, who had lately arrived in Paris to take part in the negotiations. But the reasons of the American commissioners were very different from those of Vergennes. They feared that, if they began to treat before independence was acknowledged, they would be unfairly dealt with by France and Spain, and unable to gain from England the concessions upon which they were determined.

Jay soon began to suspect the designs of the French minister. He found that he was sending M. de Rayneval as a secret emissary to Lord Shelburne under an assumed name; he ascertained that the right of the United States to the Mississippi valley was to be denied; and he got hold of a dispatch from Marbois, the French secretary of legation at Philadelphia, to Vergennes, opposing the American claim to the New-

foundland fisheries. As soon as Jay learned these facts, he sent his friend Dr. Benjamin Vaughan to Lord Shelburne to put him on his guard, and while reminding him that it was greatly for the interest of England to dissolve the alliance between America and France, he declared himself ready to begin the negotiations without waiting for the recognition of independence, provided that Oswald's commission should speak of the thirteen United States of America, instead of calling them colonies and naming them separately. This decisive step was taken by Jay on his own responsibility, and without the knowledge of Franklin, who had been averse to anything like a separate negotiation with England. It served to set the ball rolling at once. After meeting the messengers from Jay and Vergennes, Lord Shelburne at once perceived the antagonism that had arisen between the allies, and promptly took advantage of it. A new commission was made out for Oswald, in which the British government first described our country as the United States; and early in October negotiations were begun and proceeded rapidly. On the part of England, the affair was conducted by Oswald, assisted by Strachey and Fitzherbert, who had succeeded Grenville. In the course of the month John Adams arrived in Paris, and a few weeks later Henry Laurens, who had been exchanged for Lord Cornwallis and released from the Tower, was added to the company. Adams had a holy horror of Frenchmen in general, and of Count Vergennes in particular. He shared that com-

mon but grossly mistaken view of Frenchmen which regards them as shallow, frivolous and insincere; and he was indignant at the position taken by Vergennes on the question of the fisheries. In this, John Adams felt as all New Englanders felt, and he realized the importance of the question from a national point of view, as became the man who in later years was to earn lasting renown as one of the chief founders of the American navy. His behavior on reaching Paris was characteristic. It is said that he left Count Vergennes to learn of his arrival through the newspapers. It was certainly some time before he called upon him, and he took occasion, besides, to express his opinions about republics and monarchies in terms which courtly Frenchmen thought very rude.

The arrival of Adams fully decided the matter as to a separate negotiation with England. He agreed with Jay that Vergennes should be kept as far as possible in the dark until everything was cut and dried, and Franklin was reluctantly obliged to yield. The treaty of alliance between France and the United States had expressly stipulated that neither power should ever make peace without the consent of the other, and in view of this Franklin was loath to do anything which might seem like abandoning the ally whose timely interposition had alone enabled Washington to achieve the crowning triumph of Yorktown. In justice to Vergennes, it should be borne in mind that he had kept strict faith with us in regard to every point that had been expressly stipulated; and Frank-

lin, who felt that he understood Frenchmen better than his colleagues, was naturally unwilling to seem behindhand in this respect. At the same time, in regard to matters not expressly stipulated, Vergennes was clearly playing a sharp game against us; and it is undeniable that, without departing technically from the obligations of the alliance, Jay and Adams—two men as honorable as ever lived—played a very sharp defensive game against him. The traditional French subtlety was no match for Yankee shrewdness. The treaty with England was not concluded until the consent of France had been obtained, and thus the express stipulation was respected; but a thorough and detailed agreement was reached as to what the purport of the treaty should be, while our not too friendly ally was kept in the dark. The annals of modern diplomacy have afforded few stranger spectacles. With the indispensable aid of France we had just got the better of England in fight, and now we proceeded amicably to divide territory and commercial privileges with the enemy, and to make arrangements in which the ally was virtually ignored. It ceases to be a paradox, however, when we remember that with the change of government in England some essential conditions of the case were changed. The England against which we had fought was the hostile England of Lord North; the England with which we were now dealing was the friendly England of Shelburne and Pitt. For the moment, the English race, on both sides of the Atlantic, was united in its main purpose and



divided only questions of detail, while the rival colonizing power, which sought to work in a direction contrary to the general interests of English-speaking people, was in great measure disregarded. . . .

The articles were signed on the 30th of November, six days before the meeting of Parliament. Hostilities in America were to cease at once, and upon the completion of the treaty the British fleets and armies were to be immediately withdrawn from every place which they held within the limits of the United States. A supplementary and secret article provided that if England, on making peace with Spain, should recover West Florida, the northern boundary of that province should be a line running due east from the mouth of the Yazoo River to the Chattahoochee.

Thus by skilful diplomacy the Americans had gained all that could reasonably be asked, while the work of making a general peace was greatly simplified. It was declared in the preamble that the articles here signed were provisional, and that the treaty was not to take effect until terms of peace should be agreed on between England and France. Without delay, Franklin laid the whole matter, except the secret article, before Vergennes, who forthwith accused the Americans of ingratitude and bad faith. . . .

On the part of the Americans the treaty of Paris was one of the most brilliant triumphs in the whole history of modern diplomacy. Had the affair been managed by men of ordinary ability, some of the greatest results of the Revolutionary War would

probably have been lost; the new republic would have been cooped up between the Atlantic Ocean and the Alleghany Mountains; our westward expansion would have been impossible without further warfare in which European powers would have been involved; and the formation of our Federal Union would doubtless have been effectively hindered, if not, indeed, altogether prevented. To the grand triumph the varied talents of Franklin, Adams and Jay alike contributed.

# THE MEANING OF AMERICAN DEMOCRACY

*By François Jean, Marquis de Chastellux*

**I**N HIS "*Travels in America During the Years 1780-81-82*," Chastellux, who was a major-general in the French army under Rochambeau and was present at the surrender of Cornwallis at Yorktown, recounts his interesting experiences and observations in this country. He wrote voluminously about America during and directly after the Revolution, and his writings all display the intelligent sympathy apparent in this extract from a letter addressed to Professor Madison, father of President Madison.

Chastellux draws what is regarded as a remarkably accurate picture of the United States in its formative critical period. Other of his written work was highly praised by Voltaire, who is said to have ranked it above that of Montesquieu.

erts, and in South Carolina where the production of some exclusive articles fixes the general attention on external commerce, and establishes unavoidable connections with the old world. Let it be observed, too, that agriculture which was the occupation of the first settlers, was not an adequate means of assimilating the one with the other, since there are certain species of culture which tend to maintain the equality of fortune, and others to destroy it.

**I**F . . . we wish to form an idea of the American Republic we must be careful not to confound the Virginians, whom warlike as well as mercantile, an ambitious as well as speculative genius brought upon the continent, with the New Englanders who owe their origin to enthusiasm; we must not expect to find precisely the same men in Pennsylvania, where the first colonists thought only of keeping and cultivating the des-

These are sufficient reasons to prove that the same principles, the same opinions, the same habits do not occur in all the thirteen United States, although they are subject nearly to the same force [sort?] of government. For, notwithstanding that all their constitutions are not similar, there is through the whole a democracy, and a government of representation, in which the people give their suffrage by their delegates. But if we choose to overlook those shades which distinguish this confederated people from each other; if we regard the thirteen States only as one nation, we shall even then observe that she must long retain the impression of those circumstances, which have conducted her to liberty. Every philosopher acquainted with mankind, and who has studied the springs of human action, must be convinced that, in the present revolution, the Americans have been guided by two principles, while they imagined they were following the impulse of only one. He will distinguish, a positive and a negative principle, in their legislation, and in their opinions.

I call that principle positive which in so enlightened a moment as the present reason alone could dictate to a people making choice of that government which suited them the best; I call that a negative principle which they oppose to the laws and usages of a powerful enemy for whom they had contracted a well founded aversion. Struck with the example of the inconveniences offered by the English government, they had recourse to the opposite extreme, convinced

that it was impossible to deviate from it too much. . . .

In England, a septennial Parliament invites the King to purchase a majority on which he may reckon for a long period; the American assemblies therefore must be annual; on the other side of the water, the executive power, too uncontrolled in its action, frequently escapes the vigilance of the legislative authority; on this continent, each officer, each minister of the people must be under the immediate dependence of the assemblies, so that his first care on attaining office, will be to court the popular favor for a new election. Among the English, employments confer, and procure rank and riches, and frequently elevate their possessors to too great a height: among the Americans, offices neither conferring wealth, nor consideration, will not, it is true, become objects of intrigue or purchase, but they will be held in so little estimation as to make them avoided, rather than sought after, by the most enlightened citizens, by which means every employment will fall into the hands of new and untried men, the only persons who can expect to hold them to advantage.

In continuing to consider the thirteen United States under one general point of view, we shall observe still other circumstances which have influenced as well the principles of the government, as the national spirit. These thirteen States were at first colonies; now the first necessity felt in all rising colonies is population; I say in rising colonies, for I doubt much



whether that necessity exists at present, so much as is generally imagined. Of this however I am very sure, that there will still be a complaint of want of population, long after the necessity has ceased; Americans will long continue to reason as follows: we must endeavor to draw foreigners among us, for which purpose it is indispensably necessary to afford them every possible advantage; every person once within the State, shall be considered therefore as a member of that State, as a real citizen. Thus one year's residence in the same place shall suffice to establish him an inhabitant, and every inhabitant shall have the right of voting, and shall constitute a part of the sovereign power; from whence it will result that this sovereignty will communicate and divide itself without requiring any pledge, any security from the person who is invested with it. This has arisen from not considering the possibility of other emigrants than those from Europe, who are supposed to fix themselves in the first spot where they may form a settlement; we shall one day, however, see frequent emigrations from State to State; workmen will frequently transplant themselves, many of them will be obliged even to change situations from the nature of their employments, in which case it will not be singular to see the elections for a district of Connecticut, decided by inhabitants of Rhode Island or New York.

Some political writers, especially the more modern, have advanced, that property alone should constitute the citizen. They are of opinion that he alone whose

fortune is necessarily connected with its welfare has a right to become a member of the State. In America, a specious answer is given to this reasoning; among us, say they, landed property is so easily acquired, that every workman who can use his hands, may be looked upon as likely soon to become a man of property. But can America remain long in her present situation? And can the regimen of her infant state agree with her, now she has assumed the virile robe?

The following, Sir, is a delicate question which I can only propose to a philosopher like you. In establishing among themselves a purely democratic government, had the Americans a real affection for a democracy, And if they have wished all men to be equal, is it not solely, because, from the very nature of things, they were themselves nearly in that situation? For to preserve a popular government in all its integrity, it is not sufficient, not to admit either rank or nobility, riches alone never fail to produce marked differences, by so much the greater, as there exist no others. Now such is the present happiness of America that she has no poor, that every man in it enjoys a certain ease and independence, and that if some have been able to obtain a smaller portion of them than others, they are so surrounded by resources, that the future is more looked to, than their present situation. Such is the general tendency to a state of equality; that the same enjoyments which would be deemed superfluous in every other part of the world,

are here considered as necessities. . . . Now, Sir, let us suppose that the increase of population may one day reduce your artisans to the situation in which they are found in France and England. Do you in that case really believe that your principles are so truly democratic, as that the landholders and the opulent, will still continue to regard them as their equals? . . . I shall ask you then, whether under the belief of possessing the most perfect democracy, you may not find that you have insensibly attained a point more remote from it, than every other Republic. . . . Now observe, Sir, that in your present form of government, you have not attached either sufficient grandeur, or dignity to any place, to render its possessor illustrious, still less the whole class from which he may be chosen. You have thrown far from you all hereditary honors, but have you bestowed sufficient personal distinctions? Have you reflected that these distinctions, far from being less considerable than those which took place among the Greeks and Romans, ought rather to surpass them? The reason of this is very obvious: the effect of honors and distinctions is by so much the more marked, as it operates on the greater number of men assembled together. . . . Men must be moved by some fixed principle; is it not better that this should be by vanity than interest? I have no doubt that love of country will always prove a powerful motive, but do not flatter yourself that this will long exist with the same spirit. The greatest efforts of the mind, like those of the body, are in resistance; and the

same may happen with respect to the State, as in matters of opinion, to which we cease to be attached, when they cease to be contested.

## AMERICAN CHARACTERISTICS

*By Benjamin Franklin*

FRANKLIN was justly considered in Europe as a pre-eminent authority on all matters relating to social conditions in America. His writings enjoyed almost as large a circulation abroad as they did in this country, and his reputation grew with his success. "It was," wrote John Adams, "more universal than that of Leibnitz or Newton, Frederick the Great or Voltaire, and his character more beloved and esteemed than all of them."

Franklin was besieged by European publishers for pamphlets and for contributions of a literary character. This article was published in both London and Paris in 1784, the year after Franklin, then in France, had signed the definitive Treaty of Paris and asked to be relieved of his mission. His request was not granted until 1785 when Congress adopted a resolution permitting "the Honorable Benjamin Franklin to return to America as soon as convenient."

of the world than appear to have hitherto prevailed. . . .

The truth is, that though there are in that country few people so miserable as the poor of Europe, there

MANY persons in Europe having directly or by letters, expressed to the writer of this, who is well acquainted with North America, their desire of transporting and establishing themselves in that country; but who appear to him to have formed through ignorance, mistaken ideas and expectations of what is to be obtained there; he thinks it may be useful, and prevent inconvenient, expensive and fruitless removals and voyages of improper persons, if he gives some clearer and truer notions of that part



are also very few that in Europe would be called rich. It is rather a general happy mediocrity that prevails. There are few great proprietors of the soil, and few tenants; most people cultivate their own lands, or follow some handicraft or merchandise; very few are rich enough to live idly upon their rents or incomes; or to pay the high prices given in Europe, for painting, statues, architecture and the other works of art that are more curious than useful. Hence the natural geniuses that have arisen in America, with such talents, have uniformly quitted that country for Europe, where they can be more suitably rewarded. It is true that letters and mathematical knowledge are in esteem there, but they are at the same time more common than is apprehended; there being already existing nine colleges, or universities, viz. four in New England, and one in each of the provinces of New York, New Jersey, Pennsylvania, Maryland, and Virginia, all furnished with learned professors; besides a number of smaller academies. These educate many of their youth in the languages and those sciences that qualify men for the professions of divinity, law, or physic. Strangers indeed are by no means excluded from exercising those professions; and the quick increase of inhabitants everywhere gives them a chance of employ, which they have in common with the natives. Of civil offices or employments, there are few; no superfluous ones as in Europe; and it is a rule established in some of the States, that no office should be so profitable as to make it desirable. . . .

These ideas prevailing more or less in all the United States, it cannot be worth any man's while, who has a means of living at home, to expatriate himself in hopes of obtaining a profitable civil office in America, and as to military offices, they are at an end with the war, the armies being disbanded. Much less is it advisable for a person to go thither who has no other quality to recommend him but his birth. In Europe it has indeed its value; but it is a commodity that cannot be carried to a worse market than to that of America, where people do not enquire concerning a stranger, "What is he?" but "What can he do?" If he has any useful art, he is welcome; and if he exercises it, and behaves well, he will be respected by all that know him; but a mere man of quality, who on that account wants to live upon the public, by some office or salary, will be despised and disregarded. . . .

With regard to encouragements for strangers from Government, they are really only what are derived from good laws and liberty. Strangers are welcome because there is room enough for them all, and therefore the old inhabitants are not jealous of them; the laws protect them sufficiently, so that they have no need of the patronage of great men; and every one will enjoy securely the profits of his industry. But if he does not bring a fortune with him, he must work and be industrious to live. One or two years' residence give him all the rights of a citizen; but the Government does not at present, whatever it may have done in former times, hire people to become

settlers, by paying their passages, giving land, negroes, utensils, stock, or any other kind of emolument whatsoever. In short, America is the land of labor, and by no means what the English call Lubberland, and the French Pays de Cocagne, where the streets are said to be paved with half-peck loaves, the houses tiled with pancakes, and where the fowls fly about ready roasted, crying, "Come eat me!" . . .

Land being cheap in that country, from the vast forests still void of inhabitants, and not likely to be occupied in an age to come, insomuch that the propriety of a hundred acres of fertile soil full of wood may be obtained near the frontiers in many places, for eight or ten guineas, hearty young laboring men, who understand the husbandry of corn and cattle, which is nearly the same in that country as in Europe, may easily establish themselves there. A little money saved of the good wages they receive there while they work for others, enables them to buy the land and begin their plantation, in which they are assisted by the good will of their neighbors, and some credit. Multitudes of poor people from England, Ireland, Scotland and Germany, have by this means in a few years become wealthy farmers, who in their own countries, where all the lands are fully occupied, and the wages of labor low, could never have emerged from the mean condition wherein they were born.

From the salubrity of the air, the healthiness of the climate, the plenty of good provisions, and the encouragement to early marriages by the certainty of

subsistence in cultivating the earth, the increase of inhabitants by natural generation is very rapid in America, and becomes still more so by the accession of strangers; hence there is a continual demand for more artisans of all the necessary and useful kinds, to supply those cultivators of the earth with houses, and with furniture and utensils of the grosser sorts, which cannot so well be brought from Europe. Tolerably good workmen in any of those mechanic arts, are sure to find employ, and to be well paid for their work, there being no restraints preventing strangers from exercising any art they understand, nor any permission necessary. If they are poor, they begin first as servants or journeymen; and if they are sober, industrious, and frugal, they soon become masters, establish themselves in business, marry, raise families, and become respectable citizens.

Also, persons of moderate fortunes and capitals, who having a number of children to provide for, are desirous of bringing them up to industry, and to secure estates for their posterity, have opportunities of doing it in America, which Europe does not afford. There they may be taught and practice profitable mechanic arts, without incurring disgrace on that account; but on the contrary acquiring respect by such abilities. There small capitals laid out in lands, which daily become more valuable by the increase of people, afford a solid prospect of ample fortunes thereafter for those children. The writer of this has known several instances of large tracts of land, bought on what was

then the frontier of Pennsylvania, for ten pounds per hundred acres, which, after twenty years, when the settlements had been extended far beyond them, sold readily, without any improvements made upon them, for three pounds per acre. The acre in America is the same with the English acre, or the acre of Normandy. . . .

Several of the Princes of Europe having of late, from [formed?] an opinion of advantage to arise by producing all commodities and manufactures within their own dominions, so as to diminish or render useless their importations, have endeavored to entice workmen from other countries, by high salaries, privileges, &c. . . . This, however, has rarely been done in America; and when it has been done, it has rarely succeeded, so as to establish a manufacture, which the country was not yet so ripe for as to encourage private persons to set it up; labor being generally too dear there, and hands difficult to be kept together, every one desiring to be a master, and the cheapness of land inclining many to leave trades for agriculture. Some indeed have met with success, and are carried on to advantage; but they are generally such as require only a few hands, or wherein great part of the work is performed by machines. . . .

Great establishments of manufacture require great numbers of poor to do the work for small wages; these poor are to be found in Europe, but will not be found in America, till the lands are all taken up and cultivated, and the excess of people who cannot get



land, want employment. . . . Therefore the Governments in America do nothing to encourage such projects. The people, by this means, are not imposed on, either by the merchant or mechanic; if the merchant demands too much profit on imported shoes, they buy of the shoemaker; and if he asks too high a price, they take them of the merchant. Thus the two professions are checks on each other. The shoemaker, however, has, on the whole, a considerable profit upon his labor in America, beyond what he had in Europe, as he can add to his price a sum nearly equal to all the expenses of freight and commission, risk or insurance, &c., necessarily charged by the merchant. And the case is the same with the workmen in every other mechanic art. Hence it is, that artisans generally live better and more easily in America than in Europe; and such as are good economists, make a comfortable provision for age, and for their children. Such may, therefore, remove with advantage to America.

In the old long-settled countries of Europe . . . artisans, who fear creating future rivals in business, refuse to take apprentices, but upon conditions of money, maintenance, or the like, which the parents are unable to comply with. . . . In America, the rapid increase of inhabitants takes away that fear of rivalry, and artisans willingly receive apprentices from the hope of profit by their labor, during the remainder of the time stipulated, after they shall be instructed. Hence it is easy for poor families to get their children instructed; for the artisans are so de-

sirous of apprentices, that many of them will even give money to the parents, to have boys from ten to fifteen years of age bound apprentices to them, till the age of twenty-one; and many poor parents have, by that means, on their arrival in the country, raised money enough to buy land sufficient to establish themselves, and to subsist the rest of their family by agriculture. These contracts for apprentices are made before a magistrate, who regulates the agreement according to reason and justice; and having in view the formation of a future useful citizen, obliges the master to engage by a written indenture, not only that during the time of service stipulated, the apprentice shall be duly provided with meat, drink, apparel, washing and lodging, and at its expiration with a complete new suit of clothes, but also that he shall be taught to read, write and cast accounts; and that he shall be well instructed in the art or profession of his master, or some other, by which he may afterwards gain a livelihood, and be able in his turn to raise a family. . . . This desire among the masters to have more hands employed in working for them, induces them to pay the passages of young persons, of both sexes, who on their arrival agree to serve them one, two, three, or four years; those who have already learned a trade agreeing for a shorter term, in proportion to their skill, and the consequent immediate value of their service; and those who have none, agreeing for a longer term, in consideration of being taught an art

their poverty would not permit them to acquire in their own country.

The almost general mediocrity of fortune that prevails in America, obliging its people to follow some business for subsistence, those vices that arise usually from idleness are in a great measure prevented. Industry and constant employment are great preservatives of the morals and virtue of a nation. Hence bad examples to youth are more rare in America, which must be a comfortable consideration to parents. To this may be truly added, that serious religion, under its various denominations, is not only tolerated, but respected and practised. Atheism is unknown there; infidelity rare and secret; so that persons may live to a great age in that country without having their piety shocked by meeting with either an atheist or an infidel. And the Divine Being seems to have manifested His approbation of the mutual forbearance and kindness with which the different sects treat each other, by the remarkable prosperity with which He has been pleased to favor the whole country.

## HOW SETTLEMENTS WERE PLANTED

*By William Cooper*

*THIS account of the hardships suffered by the frontier settlers of colonial and post-colonial days is from William Cooper's "Guide in the Wilderness," a pamphlet issued in Dublin, Ireland, in 1810, for the purpose of promoting immigration to Central New York State, where Cooper established a settlement now known as Coopers-town. He was the father of the first great American novelist, James Fenimore Cooper, whose early life in the wilderness resulted in his famous "Leatherstocking Tales."*

*The elder Cooper migrated from Burlington, N. J., with his wife and twelve children, in 1790, having acquired large tracts of land around Lake Otsego. He was the first judge of Otsego County, a Congressman, and in his prosperous latter years lived a semi-baronial life in a great mansion he built at the foot of Lake Otsego. His success encouraged similar enterprises throughout the border country and is a fine example of pioneer achievement.*

creation. And I question whether that sensation is not now a recompense more grateful to me than all

I BEGAN with the disadvantage of a small capital, and the incumbrance of a large family, and yet I have already settled more acres than any man in America. There are forty thousand souls now holding directly or indirectly under me, and I trust, that no one among so many can justly impute to me any act resembling oppression. I am now descending into the vale of life, and I must acknowledge that I look back with self-complacency upon what I have done, and am proud of having been an instrument in reclaiming such large and fruitful tracts from the waste of the

the other profits I have reaped. Your good sense and knowledge of the world will excuse this seeming boast; if it be vain, we all must have our vanities, let it at least serve to show that industry has its rewards, and age its pleasures, and be an encouragement to others to persevere and prosper.

In 1785 I visited the rough and hilly country of Otsego, where there existed not an inhabitant, nor any trace of a road; I was alone three hundred miles from home, without bread, meat, or food of any kind; fire and fishing tackle were my only means of subsistence. I caught trout in the brook, and roasted them on the ashes. My horse fed on the grass that grew by the edge of the waters. I laid me down to sleep in my watch-coat, nothing but the melancholy wilderness around me. In this way I explored the country, formed my plans of future settlement, and meditated upon the spot where a place of trade or a village should afterward be established.

In May, 1786, I opened the sales of 40,000 acres, which, in sixteen days, were all taken up by the poorest order of men. I soon after established a store, and went to live among them, and continued so to do until 1790, when I brought on my family. For the ensuing four years the scarcity of provisions was a serious calamity; the country was mountainous, there were neither roads nor bridges.

But the greatest discouragement was in the extreme poverty of the people, none of whom had the means of clearing more than a small spot in the midst



of the thick and lofty woods, so that their grain grew chiefly in the shade; their maize did not ripen; their wheat was blasted, and the little they did gather they had no mill to grind within twenty miles distance; not one in twenty had a horse, and the way lay through rapid streams, across swamps, or over bogs. They had neither provisions to take with them, nor money to purchase them; nor if they had, were any to be found on their way. If the father of a family went abroad to labor for bread, it cost him three times its value before he could bring it home, and all the business on his farm stood still till his return.

I resided among them, and saw too clearly how bad their condition was. I erected a storehouse, and during each winter filled it with large quantities of grain, purchased in distant places. I procured from my friend Henry Drinker a credit for a large quantity of sugar kettles; he also lent me some potash kettles, which we conveyed as we best could; sometimes by partial roads on sleighs, and sometimes over the ice. By this means I established potash works among the settlers, and made them debtor for their bread and laboring utensils. I also gave them credit for their maple sugar and potash, at a price that would bear transportation, and the first year after the adoption of this plan I collected in one mass forty-three hogsheads of sugar, and three hundred barrels of pot and pearl ash, worth about nine thousand dollars. This kept the people together and at home, and the country soon assumed a new face.

I had not funds of my own sufficient for the opening of new roads, but I collected the people at convenient seasons, and by joint efforts we were able to throw bridges over the deep streams, and to make, in the cheapest manner, such roads as suited our then humble purposes.

In the winter preceding the summer of 1789, grain rose in Albany to a price before unknown. The demand swept the whole granaries of the Mohawk country. The number of beginners who depended upon it for their bread greatly aggravated the evil, and a famine ensued, which will never be forgotten by those who, though now in the enjoyment of ease and comfort, were then afflicted with the cruelest of wants.

In the month of April I arrived among them with several loads of provisions, destined for my own use and that of the laborers I had brought with me for certain necessary operations; but in a few days all was gone, and there remained not one pound of salt meat nor a single biscuit. Many were reduced to such distress as to live upon the roots of mild leeks; some more fortunate lived upon milk, while others supported nature by drinking a syrup made of maple sugar and water. The quantity of leeks they ate had such an effect upon their breath that they could be smelled at many paces distance, and when they came together it was like cattle that had pastured in a garlic field. A man of the name of Beets mistaking some poisonous herb for a leek, ate it, and died in conse-

quence. Judge of my feeling at this epoch, with two hundred families about me, and not a morsel of bread.

A singular event seemed sent by a good Providence to our relief; it was reported to me that unusual shoals of fish were seen moving in the clear waters of the Susquehanna. I went and was surprised to find that they were herrings. We made something like a small net, by the interweaving of twigs, and by this rude and simple contrivance we were able to take them in thousands. In less than ten days each family had an ample supply with plenty of salt. I also obtained from the Legislature, then in session, seventeen hundred bushels of corn. This we packed on horses' backs, and on our arrival made a distribution among the families, in proportion to the number of individuals of which each was composed.

This was the first settlement I made, and the first attempted after the Revolution; it was, of course, attended with the greatest difficulties; nevertheless, to its success many others have owed their origin. It was besides the roughest land in all the State, and the most difficult of cultivation of all that has been settled; but for many years past it has produced everything necessary to the support and comfort of man. It maintains at present eight thousand souls, with schools, academies, churches, meeting-houses, turn-pike roads, and a market town. It annually yields to commerce large droves of fine oxen, great quantities of wheat and other grain, abundance of pork, potash in barrels, and other provisions; merchants with large

capitals, and all kinds of useful mechanics reside upon it; the waters are stocked with fish, the air is salubrious, and the country thriving and happy. When I contemplate all this, and above all, when I see these good old settlers meet together, and hear them talk of past hardships, of which I bore my share, and compare the misery they then endured with the comforts they now enjoy, my emotions border upon weakness, which manhood can scarcely avow. One observation more on the duty of landlords shall close my answer to your first inquiry.

If the poor man who comes to purchase land has a cow and a yoke of cattle to bring with him, he is of the most fortunate class, but as he will probably have no money to hire a laborer, he must do all his clearing with his own hands. Having no pasture for his cow and oxen, they must range the woods for subsistence; he must find his cow before he can have his breakfast, and his oxen before he can begin his work. Much of the day is sometimes wasted, and his strength uselessly exhausted. Under all these disadvantages, if in three years he attains a comfortable livelihood, he is pretty well off; he will then require a barn, as great losses accrue from the want of shelter for his cattle and his grain; his children, yet too young to afford him any aid, require a school, and are a burden upon him; his wife bearing children, and living poorly in an open house, is liable to sickness, and doctors' bills will be to pay.

## WHY THE CONFEDERATION FAILED TO WORK

*By James Madison*

*THIS extract is from the report of a speech of Madison's made in the Constitutional Convention at Philadelphia (1787) against what was known as the New Jersey Plan, which left the relationship between the States and the Federal Government practically unchanged. In place of it, Madison wrote and proposed "the Virginia Plan," and throughout the convention rendered such effective service as to win for himself the title of "Father of the Constitution."*

*Adams urged the principle of proportional representation in both Houses of the Federal Congress. His notes on the debates of the Congress of the Confederation and of the Constitutional Convention are invaluable records of those critical times in the formation of the Republic.*

**I**N some treaties, indeed, it is expressly stipulated, that a violation of particular articles shall not have this consequence, and even that particular articles shall remain in force during war, which is in general understood to dissolve all subsisting treaties. But are there any exceptions of this sort to the Articles of Confederation? So far from it, that there is not even an express stipulation that force shall be used to compel an offend-

ing member of the Union to discharge its duty. He [Mr. Madison] observed, that the violations of the Federal Articles had been numerous and notorious. Among the most notorious was an act of New Jersey herself; by which she expressly refused to comply with a constitutional requisition of Congress, and yielded no further to the expostulations of their deputies, than barely to rescind her vote of refusal, without



passing any positive act of compliance. He did not wish to draw any rigid inferences from these observations. He thought it proper, however, that the true nature of the existing Confederacy should be investigated, and he was not anxious to strengthen the foundations on which it now stands.

Proceeding to the consideration of Mr. Patterson's plan, he stated the object of a proper plan to be two-fold—first, to preserve the Union; secondly, to provide a government that will remedy the evils felt by the states, both in their united and individual capacities. Examine Mr. Patterson's plan, and say whether it promises satisfaction in these respects.

1. Will it prevent the violations of the law of nations and of treaties, which, if not prevented, must involve us in the calamities of foreign wars? The tendency of the States to these violations has been manifested in sundry instances. The files of Congress contain complaints already, from almost every nation with which treaties have been formed. Hitherto, indulgence has been shown to us. This cannot be the permanent disposition of foreign nations. A rupture with other powers is among the greatest of national calamities; it ought, therefore, to be effectually provided that no part of a nation shall have it in its power to bring them on the whole. The existing Confederacy does not sufficiently provide against this evil. The proposed amendment to it does not supply the omission. It leaves the will of the States as uncontrolled as ever.

2. Will it prevent encroachments on the Federal authority? A tendency to such encroachments has been sufficiently exemplified among ourselves, as well as in every other confederated republic, ancient and modern. By the Federal Articles, transactions with the Indians appertain to Congress, yet in several instances the States have entered into treaties and wars with them. In like manner, no two or more States can form among themselves any treaties, &c., without the consent of Congress; yet Virginia and Maryland, in one instance—Pennsylvania and New Jersey, in another—have entered into compacts without previous application or subsequent apology. No State, again, can of right raise troops in time of peace without the like consent. Of all cases of the league, this seems to require the most scrupulous observance. Has not Massachusetts, notwithstanding, (the most powerful member of the Union,) already raised a body of troops? Is she not now augmenting them, without having even deigned to apprise Congress of her intentions? In fine, have we not seen the public land dealt out to Connecticut to bribe her acquiescence in the decree constitutionally awarded against her claim on the territory of Pennsylvania?—for no other possible motive can account for the policy of Congress in that measure. If we recur to the examples of other confederacies, we shall find in all of them the same tendency of the parts to encroach on the authority of the whole.

He then reviewed the Amphictyonic and Achæan confederacies, among the ancients, and the Helvetic, Germanic, and Belgic, among the moderns; tracing their analogy to the United States in the Constitution and extent of their Federal authorities; in the tendency of the particular members to usurp on these authorities, and to bring confusion and ruin on the whole. He observed, that the plan of Mr. Patterson, besides omitting a control over the States, as a general defense of the Federal prerogatives, was particularly defective in two of its provisions. In the first place, its ratification was not to be by the people at large, but by the legislatures. It could not, therefore, render the acts of Congress, in pursuance of their powers, even legally paramount to the acts of the States. And, in the second place, it gave to the Federal tribunal an appellate jurisdiction only even in the criminal cases enumerated. The necessity of any such provision supposed a danger of undue acquittal in the State tribunals: of what avail would an appellate tribunal be after an acquittal? Besides, in most, if not all, of the States, the executives have, by their respective constitutions, the right of pardoning: how could this be taken from them by a legislative ratification only?

3. Will it prevent trespasses of the States on each other? Of these, enough has been already seen. He instanced acts of Virginia and Maryland, which gave a preference to their own citizens in cases where the citizens of other States are entitled to equality of privileges by the Articles of Confederation. He con-

sidered the emissions of paper money, and other kindred measures, as also aggressions. The States, relatively to one another, being each of them either debtor or creditor, the creditor States must suffer unjustly from every emission by the debtor States.

We have seen retaliating acts on the subject, which threatened danger, not to the harmony only, but the tranquillity of the Union. The plan of Mr. Patterson, not giving even a negative on the acts of the States left them as much at liberty as ever to execute their unrighteous projects against each other.

4. Will it secure the internal tranquillity of the States themselves? The insurrections in Massachusetts admonished all the States of the danger to which they were exposed. Yet the plan of Mr. Patterson contained no provisions for supplying the defect of the Confederation on this point. According to the republican theory, indeed, right and power, being both vested in the majority, are held to be synonymous. According to fact and experience, a minority may, in an appeal to force, be an overmatch for the majority;—in the first place, if the minority happen to include all such as possess the skill and habits of military life, with such as possess the great pecuniary resources, one-third may conquer the remaining two-thirds; in the second place, one-third of those who participate in the choice of rulers may be rendered a majority by the accession of those whose poverty disqualifies them from a suffrage, and who, for obvious reasons, must be more ready to join the standard of

sedition than that of established government; and, in the third place, where slavery exists, the republican theory becomes still more fallacious.

5. Will it secure a good internal legislation and administration to the particular States? In developing the evils which vitiate the political system of the United States, it is proper to take into view those which prevail within the States individually, as well as those which affect them collectively; since the former indirectly affect the whole, and there is great reason to believe that the pressure of them had a full share in the motives which produced the present Convention.

Under this head he enumerated and animadverted on—first, the multiplicity of the laws passed by the several States; secondly, the mutability of their laws; thirdly, the injustice of them; and, fourthly, the impotence of them;—observing that Mr. Patterson's plan contained no remedy for this dreadful class of evils, and could not therefore be received as an adequate provision for the exigencies of the community.

6. Will it secure the Union against the influence of foreign powers over its members? He pretended not to say that any such influence had yet been tried; but it was naturally to be expected that occasions would produce it. As lessons which claimed particular attention, he cited the intrigues practiced among the Amphictyonic confederates, first by the kings of Persia, and afterwards, fatally, by Philip of Macedon;



among the Achæans, first by Macedon, and afterwards, no less fatally, by Rome; among the Swiss, by Austria, France, and the lesser neighboring Powers; among the members of the Germanic body, by France, England, Spain and Russia; and in the Belgic Republic, by all the great neighboring Powers. The plan of Mr. Patterson, not giving to the general councils any negative on the will of the particular States, left the door open for the like pernicious machinations among ourselves.

7. He begged the smaller States, which were most attached to Mr. Patterson's plan, to consider the situation in which it would leave them. In the first place, they would continue to bear the whole expense of maintaining their delegates in Congress. It ought not to be said that, if they were willing to bear this burden, no others had a right to complain. As far as it led the smaller States to forbear keeping up a representation, by which the public business was delayed, it was evidently a matter of common concern. An examination of the minutes of Congress would satisfy every one, that the public business had been frequently delayed by this cause; and that the States most frequently unrepresented in Congress were not the larger States. He reminded the Convention of another consequence of leaving on a small State the burden of maintaining a representation in Congress. During a considerable period of the war, one of the representatives of Delaware, in whom alone, before the signing of the Confederation, the entire vote of

that State, and after that event one half of its vote, frequently resided, was a citizen and resident of Pennsylvania, and held an office in his own State incompatible with an appointment from it to Congress. During another period, the same State was represented by three delegates, two of whom were citizens of Pennsylvania, and the third a citizen of New Jersey. These expedients must have been intended to avoid the burden of supporting delegates from their own State. But whatever might have been the cause, was not, in effect, the vote of one State doubled, and the influence of another increased by it? In the second place, the coercion on which the efficacy of the plan depends can never be exerted but on themselves. The larger States will be impregnable, the smaller only can feel the vengeance of it. He illustrated the position by the history of the Amphictyonic confederates; and the ban of the German empire. It was the cobweb which could entangle the weak, but would be the sport of the strong.

## ENGLAND AND THE UNITED STATES AT LOGGERHEADS

*By John Frederick Sackville, Duke of Dorset*

*THIS communication, dated March 26, 1785, addressed by the English ambassador in Paris to the American commissioners to the Court of France—John Adams, Benjamin Franklin and Thomas Jefferson—is of interest in expressing the skepticism of the British government as to the power of the American Congress to uphold a treaty which one or more of the thirteen States might oppose. In May of the year before the American diplomats had been sent to Europe under a general power to make commercial treaties, especially one with England that involved the Newfoundland fisheries. The English skepticism was inspired by the knowledge that the New England States were determined to have their fishing rights protected.*

*Largely through the efforts of Adams, who had just secured the recognition of the United States as an independent nation by the Dutch government, this and other treaties were negotiated.*

powers with which you are invested, whether you are merely commissioned by Congress, or whether you have received separate powers from the respective

HAVING communicated to my Court the readiness you expressed in your letter to me of the 9th of December, to remove to London, for the purpose of treating upon such points as may materially concern the interests, both political and commercial, of Great Britain and America, and having at the same time represented that you declared yourselves to be fully authorized and empowered to negotiate, I have been, in answer thereto, instructed to learn from you, gentlemen, what is the real nature of the

States. A committee of North American merchants have waited upon his Majesty's principal Secretary of State for foreign affairs, to express how anxiously they wished to be informed upon this subject, repeated experience having taught them in particular, as well as the public in general, how little the authority of Congress could avail in any respect, where the interests of any one individual State was even concerned, and particularly so, where the concerns of that particular State might be supposed to militate against such resolutions as Congress might think proper to adopt.

The apparent determination of the respective States to regulate their own separate interests, renders it absolutely necessary, towards forming a permanent system of commerce, that my Court should be informed how far the Commissioners can be duly authorized to enter into any engagements with Great Britain, which it may not be in the power of any one of the States to render totally fruitless and ineffectual.

## OUR FIRST MINISTER TO ENGLAND

*By John Adams*

*NO record of the foreign relations of the struggling Confederacy of this period, 1785, compares with that contained in the journal and letters of John Adams, first American minister to George III and second President of the United States. This letter, dated from the Bath Hotel, Westminster, June 2, 1785, was written to John Jay, then secretary of foreign affairs. Couched, as it is, in diplomatic language, it does not betray the early misgivings Adams had as to the success of his embarrassing mission.*

*In fact, the relations between the two countries were still such as to make life in London irksome to one of Adams's temperament, and he soon asked to be recalled. His request was dictated by the belief that the service he was trying to render was of no particular benefit to his country. Nevertheless, he remained at his post until 1788, when he returned to become our first Vice-President.*

stood, though he had not been present, that they always harangued the King.

On Tuesday evening, the Baron de Lynden called upon me, and said he came from the Baron de Nolken,

**D**URING my interview with the Marquis of Carmarthen, he told me that it was customary for every foreign minister, at his first presentation to the King, to make his Majesty some compliments conformable to the spirit of his letter of credence; and when Sir Clement Cottrell Dormer, the master of ceremonies, came to inform me that he should accompany me to the secretary of state and to Court, he said that every foreign minister whom he had attended to the Queen had always made a harangue to her Majesty, and he under-



and they had been conversing upon the singular situation I was in, and they agreed in opinion that it was indispensable that I should make a speech, and that that speech should be as complimentary as possible. All this was conformable to the advice lately given by the Count de Vergennes to Mr. Jefferson; so that, finding it was a custom established at both these great Courts, and that this Court and the foreign ministers expected it, I thought I could not avoid it, although my first thought and inclination had been to deliver my credentials silently and retire.

At one, on Wednesday, the master of ceremonies called at my house, and went with me to the secretary of state's office, in Cleveland Row, where the Marquis of Carmarthen received me, and introduced me to his under secretary, Mr. Fraser, who has been, as his Lordship told me, uninterruptedly in that office, through all the changes in administration for thirty years, having first been appointed by the Earl of Holderness. After a short conversation upon the subject of importing my effects from Holland and France free of duty, which Mr. Fraser himself introduced, Lord Carmarthen invited me to go with him in his coach to Court.

When we arrived in the antechamber, the *œil de bœuf* of St. James's, the master of the ceremonies met me and attended me, while the secretary of state went to take the commands of the King. While I stood in this place, where it seems all ministers stand upon such occasions, always attended by the master of

ceremonies, the room very full of ministers of state, lords and bishops, and all sorts of courtiers, as well as the next room, which is the King's bedchamber, you may well suppose I was the focus of all eyes. I was relieved, however, from the embarrassment of it by the Swedish and Dutch ministers, who came to me, and entertained me in a very agreeable conversation during the whole time. Some other gentlemen, whom I had seen before, came to make their compliments too, until the Marquis of Carmarthen returned and desired me to go with him to his Majesty. I went with his Lordship through the levee room into the King's closet. The door was shut, and I was left with his Majesty and the secretary of state alone. I made the three reverences,—one at the door, another about half way, and a third before the presence,—according to the usage established at this and all the northern Courts of Europe, and then addressed myself to his Majesty in the following words:—

“Sir,—The United States of America have appointed me their minister plenipotentiary to your Majesty, and have directed me to deliver to your Majesty this letter which contains the evidence of it. It is in obedience to their express commands that I have the honor to assure your Majesty of their unanimous disposition and desire to cultivate the most friendly and liberal intercourse between your Majesty's subjects and their citizens, and of their best wishes for your Majesty's health and happiness, and for that of your royal family. The appointment of a minister from

the United States to your Majesty's Court will form an epoch in the history of England and of America. I think myself more fortunate than all my fellow-citizens in having the distinguished honor to be the first to stand in your Majesty's royal presence in a diplomatic character; and I shall esteem myself the happiest of men if I can be instrumental in recommending my country more and more to your Majesty's royal benevolence, and of restoring an entire esteem, confidence, and affection, or, in better words, the old good nature and the old good humor between people, who, though separated by an ocean, and under different governments, have the same language, a similar religion, and kindred blood.

"I beg your Majesty's permission to add, that, although I have some time before been intrusted by my country, it was never in my whole life in a manner so agreeable to myself."

The King listened to every word I said, with dignity, but with an apparent emotion. Whether it was the nature of the interview, or whether it was my visible agitation, for I felt more than I did or could express, that touched him, I cannot say. But he was much affected, and answered me with more tremor than I had spoken with, and said:—

"Sir,—The circumstances of this audience are so extraordinary, the language you have now held is so extremely proper, and the feelings you have discovered so justly adapted to the occasion, that I must say that I not only receive with pleasure the assurance of

the friendly dispositions of the United States, but that I am very glad the choice has fallen upon you to be their minister. I wish you, sir, to believe, and that it may be understood in America, that I have done nothing in the late contest but what I thought myself indispensably bound to do, by the duty which I owed to my people. I will be very frank with you. I was the last to consent to the separation; but the separation having been made, and having become inevitable, I have always said, as I say now, that I would be the first to meet the friendship of the United States as an independent power. The moment I see such sentiments and language as yours prevail, and a disposition to give to this country the preference, that moment I shall say, let the circumstances of language, religion and blood have their natural and full effect."

I dare not say that these were the King's precise words, and, it is even possible, that I may have in some particular mistaken his meaning; for, although his pronunciation is as distinct as I ever heard, he hesitated some time between his periods, and between the members of the same period. He was indeed much affected, and I confess I was not less so, and, therefore, I cannot be certain that I was so cool and attentive, heard so clearly, and understood so perfectly, as to be confident of all his words or sense; and, I think, that all which he said to me should at present be kept secret in America, unless his Majesty or his secretary of state, who alone was present, should judge proper to report it. This I do say, that the foregoing is his

Majesty's meaning as I then understood it, and his own words as nearly as I can recollect them.

The King then asked me whether I came last from France, and upon my answering in the affirmative, he put on an air of familiarity, and, smiling, or rather laughing, said, "there is an opinion among some people that you are not the most attached of all your countrymen to the manners of France." I was surprised at this, because I thought it an indiscretion and a departure from the dignity. I was a little embarrassed, but determined not to deny the truth on one hand, nor leave him to infer from it any attachment to England on the other. I threw off as much gravity as I could, and assumed an air of gayety and a tone of decision as far as was decent, and said, "that opinion, sir, is not mistaken; I must avow to your Majesty, I have no attachment but to my own country." The King replied, as quick as lightning, "an honest man will never have any other."

The King then said a word or two to the secretary of state, which, being between them, I did not hear, and then turned round and bowed to me, as is customary with all kings and princes when they give the signal to retire. I retreated, stepping backward, as is the etiquette, and, making my last reverence at the door of the chamber, I went my way. The master of ceremonies joined me the moment of my coming out of the King's closet, and accompanied me through the apartments down to my carriage, several stages of servants, gentlemen-porters and under-porters,



roaring out like thunder, as I went along, "Mr. Adams's servants, Mr. Adams's carriage, &c." I have been thus minute, as it may be useful to others hereafter to know.

The conversation with the King Congress will form their own judgment of. I may expect from it a residence less painful than I once expected, as so marked an attention from the King will silence many grumblers; but we can infer nothing from all this concerning the success of my mission.

There are a train of other ceremonies yet to go through, in presentations to the Queen, and visits to and from ministers and ambassadors, which will take up much time, and interrupt me in my endeavors to obtain all that I have at heart,—the objects of my instructions. It is thus the essence of things is lost in ceremony in every country of Europe. We must submit to what we cannot alter. Patience is the only remedy.

## WEATHERING A CRISIS

*By George Washington*

TO HENRY LEE

**ALTHOUGH** Washington was in retirement at Mount Vernon at this time (1786), he maintained his keen interest in public affairs, greatly regretting the general chaos, and helping by correspondence to bring the leading men of the country to a determination to form a more perfect Union.

These letters, dated respectively October 31 and November 5, 1786, were written to Henry Lee, of the famous Virginia family, nicknamed during the Revolution "Light Horse Harry," and now a delegate to Congress; and to James Madison, destined to be the fourth President of the United States. At the time of this correspondence Washington was 54, Madison was 35 and Lee was 30 years old.

The wise patriotism displayed by Washington in his correspondence during this trying period did much to make him the unanimous choice of the country for its first President.

that have spread over the brightest morn that ever dawned upon any country. In a word, I am lost in amazement when I behold what intrigue, the inter-

**T**HE picture which you have exhibited, and the accounts which are published of the commotions and temper of numerous bodies in the eastern States, are equally to be lamented and deprecated. They exhibit a melancholy proof of what our transatlantic foe has predicted; and of another thing perhaps, which is still more to be regretted, and is yet more unaccountable, that mankind, when left to themselves, are unfit for their own government. I am mortified beyond expression when I view the clouds

ested views of desperate characters, ignorance, and jealousy of the minor part, are capable of effecting, as a scourge on the major part of our fellow citizens of the Union; for it is hardly to be supposed, that the great body of the people, though they will not act, can be so shortsighted, or enveloped in darkness, as not to see rays of a distant sun through all this mist of intoxication and folly.

You talk, my good Sir, of employing influence to appease the present tumults in Massachusetts. I know not where that influence is to be found, or, if attainable, that it would be a proper remedy for the disorders. Influence is no government. Let us have one by which our lives, liberties and properties will be secured, or let us know the worst at once. Under these impressions, my humble opinion is that there is a call for decision. Know precisely what the insurgents aim at. If they have real grievances, redress them if possible; or acknowledge the justice of them, and your inability to do it in the present moment. If they have not, employ the force of government against them at once. If this is inadequate, all will be convinced, that the superstructure is bad, or wants support. To be more exposed in the eyes of the world, and more contemptible than we already are, is hardly possible. To delay one or the other of these is to exasperate on the one hand, or to give confidence on the other, and will add to their numbers; for, like snow-balls, such bodies increase by every movement, unless there is something in the way to obstruct and

crumble them before the weight is too great and irresistible.

These are my sentiments. Precedents are dangerous things. Let the reins of government then be braced and held with a steady hand, and every violation of the constitution be reprehended. If defective, let it be amended, but not suffered to be trampled upon while it has an existence.

With respect to the navigation of the Mississippi, you already know my sentiments thereon. They have been uniformly the same, and, as I have observed to you in a former letter, are controverted by one consideration only of weight, and that is the operation which the conclusion of it may have on the minds of the western settlers, who will not consider the subject in a relative point of view, or on a comprehensive scale, and may be influenced by the demagogues of the country to acts of extravagance and desperation, under a popular declamation that their interests are sacrificed. . . . But in all matters of great national moment the only true line of conduct, in my opinion, is dispassionately to compare the advantages and disadvantages of the measure proposed, and decide from the balance. The lesser evil, where there is a choice of them, should always yield to the greater. What benefits, more than we now enjoy, are to be obtained by such a treaty as you have delineated with Spain, I am not enough of a commercial man to give any opinion on. . . .

TO JAMES MADISON

I THANK you for the communications in your letter of the 1st instant. The decision of the House on the question respecting a paper emission is portentous, I hope, of an auspicious session. It certainly may be classed with the important questions of the present day, and merited the serious attention of the Assembly. Fain would I hope, that the great and most important of all subjects, the Federal government, may be considered with that calm and deliberate attention, which the magnitude of it so critically and loudly calls for at this critical moment. Let prejudices, unreasonable jealousies, and local interests yield to reason and liberality. Let us look to our national character and to things beyond the present moment. No morn ever dawned more favorably than ours did; and no day was ever more clouded than the present. Wisdom and good examples are necessary at this time to rescue the political machine from the impending storm. Virginia has now an opportunity to set the latter, and has enough of the former, I hope, to take the lead in promoting this great and arduous work. Without an alteration in our political creed, the superstructure we have been seven years in raising, at the expense of so much treasure and blood, must fall. We are fast verging to anarchy and confusion.

By a letter which I have received from General Knox, who had just returned from Massachusetts, whither he had been sent by Congress consequent of



the commotions in that State, is replete with melancholy accounts of the temper and designs of a considerable part of that people. Among other things he says:

“Their creed is, that the property of the United States has been protected from the confiscation of Britain by the joint exertions of all; and therefore ought to be the common property of all; and he that attempts opposition to this creed, is an enemy to equity and justice, and ought to be swept from off the face of the earth.” Again: “They are determined to annihilate all debts, public and private, and have agrarian laws, which are easily effected by the means of unfunded paper money, which shall be a tender in all cases whatever.” He adds: “The number of these people amount in Massachusetts to about one-fifth part of several populous counties, and to them may be collected people of similar sentiments from the States of Rhode Island, Connecticut and New Hampshire, so as to constitute a body of about twelve or fifteen thousand desperate and unprincipled men. They are chiefly of the young and active part of the community.”

How melancholy is the reflection, that in so short a space we should have made such large strides towards fulfilling the predictions of our transatlantic foes! “Leave them to themselves, and their government will soon dissolve.” Will not the wise and good

strive hard to avert this evil? Or will their supineness suffer ignorance, and the arts of self-interested, designing, disaffected, and desperate characters, to involve this great country in wretchedness and contempt? What stronger evidence can be given of the want of energy in our government than these disorders? If there is not power in it to check them, what security has a man for life, liberty or property? To you I am sure I need not add aught on this subject. The consequences of a lax or inefficient government are too obvious to be dwelt upon. Thirteen sovereignties pulling against each other, and all tugging at the Federal head, will soon bring ruin on the whole; whereas a liberal and energetic Constitution, well guarded and closely watched to prevent encroachments, might restore us to that degree of respectability and consequences, to which we had a fair claim and the brightest prospect of attaining. . . .

## EVILS THAT PROMPTED SHAYS' REBELLION

By General Benjamin Lincoln

**T**HE author of this two-part letter to Washington, under the dates of December 4, 1786, and February 22, 1787, was a Revolutionary veteran, whom Washington had chosen at Yorktown to receive the sword of Lord Cornwallis, and who commanded the militia that quelled Shays' Rebellion in western Massachusetts, as here described.

Daniel Shays headed several hundred malcontents that terrorized Northampton, Worcester, Great Barrington and other Massachusetts communities in the Fall of 1786. During the winter his forces, grown to some 2,000 armed followers, attempted to seize the Springfield arsenal, after breaking up a session of the Supreme Court, but was checked by a small force of militia, and finally was overtaken and dispersed by Lincoln in a rout that ended at Petersham.

The causes and effects of the rebellion are clearly set forth by General Lincoln to his old Commander-in-Chief.

annihilate our present Constitution and dissolve the present government can be considered as evidences of insanity.

**I** CANNOT . . . be surprised to hear your Excellency inquire, "Are your people getting mad? Are we to have the goodly fabric, that eight years were spent in raising, pulled over our heads? What is the cause of all these commotions? When and how will they end?" Although I cannot pretend to give a full and complete answer to them, yet I will make some observations which shall involve in them the best answers to the several questions in my power to give.

"Are your people getting mad?" Many of them appear to be absolutely so, if an attempt to

"Are we to have the goodly fabric, that eight years were spent in rearing, pulled over our heads?" There is great danger that it will be so, I think, unless the tottering system shall be supported by arms, and even then a government which has no other basis than the point of the bayonet, should one be suspended thereon, is totally different from the one established, at least in idea, by the different States that if we must have recourse to the sad experiment of arms it can hardly be said that we have supported "the goodly fabric." In this view of the matter, it may be "pulled over our heads." This probably will be the case, for there does not appear to be virtue enough among the people to preserve a perfect republican government.

"What is the cause of all these commotions?" The causes are too many and too various for me to pretend to trace and point them out. I shall therefore only mention some of those which appear to be the principal ones. Among those I may rank the ease with which property was acquired, with which credit was obtained, and debts were discharged in the time of the war. Hence people were diverted from their usual industry and economy. A luxuriant mode of living crept into vogue, and soon that income, by which the expenses of all should as much as possible be limited, was no longer considered as having anything to do with the question at what expense families ought to live, or rather which they ought not to have exceeded. The moment the day arrived when all discovered that things were fast returning back into their

original channels, that the industrious were to reap the fruits of their industry, and that the indolent and improvident would soon experience the evils of their idleness and sloth, very many were startled by the idea, and instead of attempting to subject themselves to such a line of conduct, which duty to the public and a regard to their own happiness evidently pointed out, they contemplated how they should evade the necessity of reforming their system and of changing their present mode of life, they first complained of commutation, of the weight of public taxes, of the insupportable debt of the Union, of the scarcity of money, and of the cruelty of suffering the private creditors to call for their just dues. This catalogue of complaints was listened to by many. County conventions were formed, and the cry for paper money, subject to depreciation, as was declared by some of their public resolves, was the clamor of the day. But notwithstanding instructions to members of the General Court and petitions from different quarters, the majority of that body were opposed to the measures. Failing of their point, the disaffected in the first place attempted, and in many instances succeeded, to stop the courts of law, and to suspend the operations of government. This they hoped to do until they could by force sap the foundations of our Constitution, and bring into the legislature creatures of their own by which they could mold a government at pleasure, and make it subservient to all their purposes, and when an end should thereby be put to public and private



debts, the agrarian law might follow with ease. In short, the want of industry, economy, and common honesty seem to be the causes of the present commotions.

It is impossible for me to determine "when and how they will end"; as I see little probability that they will be brought to a period, and the dignity of government supported, without bloodshed. When a single drop is drawn, the most prophetic spirit will not, in my opinion, be able to determine when it will cease flowing. The proportion of debtors run high in this State. Too many of them are against the government. The men of property and the holders of the public securities are generally supporters of our present Constitution. Few of these have been in the field, and it remains quite problematical whether they will in time so fully discover their own interests as they shall be induced thereby to lend for a season part of their property for the security of the remainder. If these classes of men should not turn out on the broad scale with spirit, and the insurgents should take the field and keep it, our Constitution will be overturned, and the Federal government broken in upon by lopping off one branch essential to the well being of the whole. This cannot be submitted to by the United States with impunity. They must send force to our aid: when this shall be collected, they will be equal to all purposes. . . .

[February 22, 1787.] I had constant applications from committees, and selectmen of the several towns

in the counties of Worcester and Hampshire, praying that the effusion of blood might be avoided; while the real design, as was supposed, of these applications was to stay our operations until a new court should be elected. They had no doubt if they could keep up their influence until another choice of the legislature and the executive that matters might be molded in General Court to their wishes. This to avoid was the duty of government. As all these applications breathed the same spirit, the same answer was given to them. . . .

In this position I remained refreshing the troops who had suffered very severe fatigue. This also gave time for the several towns to use their influence with their own people to return, if they thought proper to urge it, and to circulate among Shays' men that they would be recommended for a pardon if they would come in, and lay down their arms. The second of February I was induced to reconnoiter Shays' post on his right, left, and rear. I had received information by General Putnam before, that we could not approach him in front. I intended to have approached him on the third inst. This reconnoitering gave him an alarm. At 3 o'clock in the morning of the third, I received an application from Wheeler, that he wished to confer with General Putnam. His request was granted. He seemed to have no object but his personal safety. No encouragement being given him on this head, he returned a little after noon. In the evening of the same day, I was informed that Shays

had left his ground, and had pointed his route towards Petersham in the county of Worcester, where he intended to make a stand as a number of towns in the vicinity had engaged to support him. Our troops were put in motion at 8 o'clock. The first part of the night was pleasant, and the weather clement, but between two and three o'clock in the morning, the wind shifting to the westward, it became very cold and squally, with considerable snow. The wind immediately arose very high, and with the light snow which fell the day before and was falling, the paths were soon filled up, the men became fatigued, and they were in a part of the country where they could not be covered in the distance of eight miles, and the cold was so increased, that they could not halt in the road to refresh themselves. Under these circumstances they were obliged to continue their march. We reached Petersham about 9 o'clock in the morning exceedingly fatigued with a march of thirty miles, part of it in a deep snow and in a most violent storm; when this abated, the cold increased and a great proportion of our men were frozen in some part or other, but none dangerously. We approached nearly the center of the town, where Shays had covered his men; and had we not been prevented from the steepness of a large hill at our entrance, and the depth of the snow, from throwing our men rapidly into it we should have arrested very probably one half this force; for they were so surprised as it was that they had not time to call in their out-parties, or even their

guards. About 150 fell into our hands, and none escaped but by the most precipitate flight in different directions.

Thus that body of men who were a few days before offering the grossest insults to the best citizens of this commonwealth, and were menacing even government itself, were now nearly dispersed, without the shedding of blood but in an instance or two where the insurgents rushed on their own destruction. That so little has been shed is owing in a measure to the patience and obedience, the zeal and the fortitude in our troops, which would have done honor to veterans. A different line of conduct which Shays flattered his troops would have been followed, would have given them support, and led them to acts of violence, while it must have buoyed up the hopes of their abettors, and stimulated them to greater exertions. . . .

. . . I at once threw detachments into different parts of the county, for the purpose of protecting the friends to government and apprehending those who had been in arms against it. This business is pretty fully accomplished, and there are no insurgents together in arms in the State.

## FRAMING THE CONSTITUTION

*By Delegate James Madison*

MADISON'S services in framing the Constitution were eminent. Historians are agreed that the Constitution bears the stamp of his hand more notably than that of any other. To Madison also we are indebted for the completest and only adequate report of the Constitutional convention of 1787.

*In an introduction to his report of these proceedings of June 27, 28 and 29, Madison writes that "I chose a seat in front of the presiding member, with the other members on my right and left hands. In this favorable position for hearing all that passed, I noted in terms legible and in abbreviations intelligible to myself, what was read from the chair or spoken by the members. . . . I was not absent a single day, and was enabled to write out my notes during the session."*

MR. RUTLEDGE moved to postpone the sixth resolution, defining the powers of Congress, in order to take up the seventh and eighth, which involved the most fundamental points, the rules of suffrage in the two branches, which was agreed to. A question being proposed on the seventh resolution, declaring that the suffrage in the first branch should be according to an equitable ratio, Mr. L. Martin contended at great length and with great eagerness

that the general government was meant merely to preserve the State governments, not to govern individuals. That its powers ought to be kept within narrow limits. That, if too little power was given to it, more might be added; but that, if too much, it could never be resumed. That individuals, as such,



have little to do but with their own States, that the general government has no more to apprehend from the States composing the Union, while it pursues proper measures, than a government over individuals has to apprehend from its subjects. That to resort to the citizens at large for their sanction to a new government will be throwing them back into a state of nature; that the dissolution of the State Governments is involved in the nature of the process; that the people have no right to do this without the consent of those to whom they have delegated their power for State purposes. Through their tongues only they can speak, through their ears only can hear. That the States have shown a good disposition to comply with the acts of Congress, weak, contemptibly weak, as that body has been; and have failed through inability alone to comply. That the heaviness of the private debts and the waste of property during the war were the chief causes of this inability,—that he did not conceive the instances mentioned by Mr. Madison of compacts between Virginia and Maryland, between Pennsylvania and New Jersey, or of troops raised by Massachusetts for defense against the rebels, to be violations of the Articles of Confederation. That an equal vote in each State was essential to the Federal idea, and was founded in justice and freedom, not merely in policy. That though the States may give up this right of sovereignty, yet they had not, and ought not. That the States, like individuals, were in a state of nature equally sovereign and free.

In order to prove that individuals in a state of nature are equally free and independent, he read passages from Locke, Vattel, Lord Somers, Priestley. To prove that the case is the same with States till they surrender their equal sovereignty, he read other passages in Locke and Vattel, and also Rutherford. That the States, being equal, cannot treat or confederate so as to give up an equality of votes without giving up their liberty. That the propositions on the table were a system of slavery for ten States. That, as Virginia, Massachusetts and Pennsylvania have forty-two ninetieths of the votes, they can do as they please without a miraculous union of the other ten. That they will have nothing to do but to gain over one of the ten, to make them complete masters of the rest; that they can then appoint an Executive and Judiciary and Legislature for them as they please. That there was, and would continue, a natural predilection and partiality in men for their own States; that the States, particularly the smaller, would never allow a negative to be exercised over their laws; that no State in ratifying the Confederation had objected to the equality of votes; that the complaints at present ran not against this equality, but the want of power. That sixteen members from Virginia would be more likely to act in concert than a like number formed of members from different States. That, instead of a junction of the small States as a remedy, he thought a division of the large States would be more eligible. This was the substance of a speech which was continued more than

three hours. He was too much exhausted, he said, to finish his remarks, and reminded the House that he should to-morrow resume them.

Adjourned.

Mr. L. Martin resumed his discourse, contending that the General Government ought to be formed for the States, not for individuals; that, if the States were to have votes in proportion to their numbers of people, it would be the same thing whether their representatives were chosen by the legislatures or the people,—the smaller States would be equally enslaved. That, if the large States have the same interest with the smaller, as was urged, there could be no danger in giving them an equal vote,—they would not injure themselves, and they could not injure the large ones, on that supposition without injuring themselves; and, if the interests were not the same, the inequality of suffrage would be dangerous to the smaller States. That it will be in vain to propose any plan offensive to the rulers of the States, whose influence over the people will certainly prevent their adopting it. That the large States were weak at present in proportion to their extent, and could only be made formidable to the small ones by the weight of their votes. That, in case a dissolution of the Union should take place, the small States would have nothing to fear from their power; that, if, in such a case, the three great States should league themselves together, the other ten could do so, too; and that he had rather see partial confederacies take place than the plan on the table. This

was the substance of the residue of his discourse, which was delivered with much diffuseness and considerable vehemence.

Mr. Lansing and Mr. Dayton moved to strike out "not," so that the seventh article might read "that the right of suffrage in the first branch ought to be according to the rule established by the Confederation."

Mr. Dayton expressed great anxiety that the question might not be put till to-morrow, Governor Livingston being kept away by indisposition, and the representation of New Jersey thereby suspended.

Mr. Williamson thought that, if any political truth could be grounded on mathematical demonstration, it was that, if the States were equally sovereign now, and parted with equal proportions of sovereignty, they would remain equally sovereign. He could not comprehend how the smaller States would be injured in the case, and wished some gentleman would vouchsafe a solution of it. He observed that the small States, if they had a plurality of votes, would have an interest in throwing the burdens off their own shoulders on those of the large ones. He begged that the expected addition of new States from the westward might be taken into view. They would be small States, they would be poor States, they would be unable to pay in proportion to their numbers, their distance from market rendering the produce of their labor less valuable; they would consequently be tempted to combine for the purpose of laying burdens

on commerce and consumption, which would fall with greater weight on the old States.

Mr. Madison said he was much disposed to concur in any expedient, not inconsistent with fundamental principles, that could remove the difficulty concerning the rule of representation. But he could neither be convinced that the rule contended for was just, nor that it was necessary for the safety of the small States against the large States. That it was not just had been conceded by Mr. Brearly and Mr. Patterson themselves. The expedient proposed by them was a new partition of the territory of the United States. The fallacy of the reasoning drawn from the equality of sovereign States in the formation of compacts lay in confounding mere treaties, in which were specified certain duties to which the parties were to be bound, and certain rules by which their subjects were to be reciprocally governed in their intercourse, with a compact by which an authority was created paramount to the parties, and making laws for the government of them. If France, England and Spain were to enter into a treaty for the regulation of commerce, etc., with the Prince of Monaco, and four or five other of the smallest sovereigns of Europe, they would not hesitate to treat as equals, and to make the regulations perfectly reciprocal. Would the case be the same if a council were to be formed of deputies from each, with authority and discretion to raise money, levy troops, determine the value of coin, etc.? Would thirty or forty millions of people submit their fortunes into the



hands of a few thousands? If they did, it would only prove that they expected more from the terror of their superior force than they feared from the selfishness of their feeble associates. Why are counties of the same States represented in proportion to their numbers? Is it because the representatives are chosen by the people themselves? So will be the representatives in the National legislature. Is it because the larger have more at stake than the smaller? The case will be the same with the larger and smaller States. Is it because the laws are to operate immediately on their persons and properties? The same is the case, in some degree, as the Articles of Confederation stand; the same will be the case, in a far greater degree, under the plan proposed to be substituted. In the cases of captures, of piracies, and of offenses in a Federal army, the property and persons of individuals depend on the laws of Congress. By the plan proposed a complete power of taxation, the highest prerogative of supremacy, is proposed to be vested in the National government. Many other powers are added which assimilate it to the government of individual States. The negative proposed on the State laws will make it an essential branch of the State legislatures, and of course will require that it should be exercised by a body established on like principles with the branches of those legislatures. That it is not necessary to secure the small States against the large ones, he conceived to be equally obvious.

Was a combination of the large ones dreaded? This must arise either from some interest common to Virginia, Massachusetts and Pennsylvania, and distinguishing them from the other States, or from the mere circumstance of similarity of size. Did any such common interest exist? In point of situation they could not have been more effectually separated from each other by the most jealous citizen of the most jealous States. In point of manners, religion and the other circumstances which sometimes beget affection between different communities, they were not more assimilated than the other States. In point of the staple productions, they were as dissimilar as any three other States in the Union. The staple of Massachusetts was fish, of Pennsylvania flour, of Virginia tobacco. Was a combination to be apprehended from the mere circumstance of equality of size? Experience suggested no such danger. The journals of Congress did not present any peculiar association of these States in the votes recorded. It had never been seen that different counties in the same State, conformable in extent, but disagreeing in other circumstances, betrayed a propensity to such combinations.

Experience rather taught a contrary lesson. Among individuals of superior eminence and weight in society, rivalships were much more frequent than coalitions. Among independent nations, preëminent over their neighbors, the same remark was verified. Carthage and Rome tore one another to pieces instead of uniting their forces to devour the weaker nations

of the earth. The Houses of Austria and France were hostile as long as they remained the greatest powers of Europe. England and France have succeeded to the preëminence and to the enmity. To this principle we owe, perhaps, our liberty. A coalition between those powers would have been fatal to us. Among the principal members of ancient and modern confederacies, we find the same effect from the same cause. The contentions, not the coalitions, of Sparta, Athens and Thebes, proved fatal to the smaller members of the Amphictyonic confederacy. The contentions, not the combinations, of Russia and Austria have distracted and oppressed the German Empire. Were the large States formidable singly to their smaller neighbors? On this supposition the latter ought to wish for such a general government as will operate with equal energy on the former as on themselves. The more lax the band, the more liberty the larger will have to avail themselves of their superior force.

Here, again, experience was an instructive monitor. What is the situation of the weak compared with the strong, in those stages of civilization in which the violence of individuals is least controlled by an efficient government? The heroic period of ancient Greece, the feudal licentiousness of the Middle Ages of Europe, the existing condition of the American savages, answer this question. What is the situation of the minor sovereigns in the great society of independent nations, in which the more powerful are

under no control but the nominal authority of the law of nations? Is not the danger to the former exactly in proportion to their weakness? But there are cases still more in point. What was the condition of the weaker members of the Amphictyonic confederacy? Plutarch (see *Life of Themistocles*) will inform us that it happened but too often that the strongest cities corrupted and awed the weaker, and that judgment went in favor of the more powerful party. What is the condition of the lesser States in the German Confederacy? We all know that they are exceedingly trampled upon, and that they owe their safety, as far as they enjoy it, partly to their enlisting themselves under the rival banners of the preëminent members, partly to alliances with neighboring princes, which the constitution of the Empire does not prohibit. What is the state of things in the lax system of the Dutch confederacy? Holland contains about half the people, supplies about half the money, and by her influence silently and indirectly governs the whole republic.

In a word, the two extremes before us are a perfect separation and a perfect incorporation of the thirteen States. In the first case, they would be independent nations, subject to no law but the law of nations. In the last, they would be mere counties of one entire republic, subject to one common law. In the first case, the smaller States would have everything to fear from the larger. In the last, they would have nothing to fear. The true policy of the small States, therefore,

lies in promoting those principles and that form of government which will most approximate the States to the condition of counties. Another consideration may be added. If the general government be feeble, the larger States, distrusting its continuance, and foreseeing that their importance and security may depend on their own size and strength, will never submit to a partition. Give to the general government sufficient energy and permanency, and you remove the objection. Gradual partitions of the large and junctions of the small States will be facilitated, and time may effect that equalization which is wished for by the small States now, but can never be accomplished at once.

Mr. Wilson.—The leading argument of those who contend for equality of votes among the States is that the States, as such, being equal, and being represented, not as districts of individuals, but in their political and corporate capacities, are entitled to an equality of suffrage. According to this mode of reasoning the representation of the boroughs in England, which has been allowed on all hands to be the rotten part of the Constitution, is perfectly right and proper. They are, like the States, represented in their corporate capacity: like the States, therefore, they are entitled to equal voices,—Old Sarum to as many as London. And, instead of the injury supposed hitherto to be done to London, the true ground of complaint lies with Old Sarum; for London instead of two, which is her proper share, sends four representatives to Parliament.



Mr. Sherman.—The question is, not what rights naturally belong to man, but how they may be most equally and effectually guarded in society. And, if some give up more than others, in order to obtain this end, there can be no room for complaint. To do otherwise, to require an equal concession from all, if it would create danger to the rights of some, would be sacrificing the end to the means. The rich man who enters into society along with the poor man gives up more than the poor man, yet with an equal vote he is equally safe. Were he to have more votes than the poor man in proportion to his superior stake, the rights of the poor man would immediately cease to be secure. This consideration prevailed when the Articles of Confederation were formed.

The determination of the question for striking out the word "not" was put off till to-morrow, at the request of the deputies from New York.

Dr. Franklin.—Mr. President, The small progress we have made after four or five weeks' close attendance and continual reasonings with each other,—our different sentiments on almost every question, several of the last producing as many noes as ayes,—is, methinks, a melancholy proof of the imperfection of the human understanding. We, indeed, seem to feel our own want of political wisdom since we have been running about in search of it. We have gone back to ancient history for models of government, and examined the different forms of those republics which, having been formed with the seeds of their own dis-

solution, now no longer exist. And we have viewed modern States all round Europe, but find none of their Constitutions suitable to our circumstances.

In this situation of this assembly, groping as it were in the dark to find political truth, and scarce able to distinguish it when presented to us, how has it happened, sir, that we have not hitherto once thought of humbly applying to the Father of lights, to illuminate our understandings? In the beginning of the contest with Great Britain, when we were sensible of danger, we had daily prayer in this room for the divine protection. Our prayers, sir, were heard; and they were graciously answered. All of us who were engaged in the struggle must have observed frequent instances of a superintending Providence in our favor. To that kind Providence we owe this happy opportunity of consulting in peace on the means of establishing our future national felicity. And have we now forgotten that powerful Friend? Or do we imagine that we no longer need His assistance? I have lived, sir, a long time; and, the longer I live, the more convincing proofs I see of this truth,—that God governs in the affairs of men. And, if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings that “except the Lord build the house they labor in vain that build it.” I firmly believe this; and I also believe that without His concurring aid we shall succeed in this political building no better than the builders of Babel. We shall be

divided by our little partial local interests, our projects will be confounded, and we ourselves shall become a reproach and byword to future ages. And, what is worse, mankind may hereafter from this unfortunate instance despair of establishing governments by human wisdom, and leave it to chance, war and conquest.

I therefore beg leave to move that henceforth prayers imploring the assistance of Heaven, and its blessings on our deliberations, be held in this Assembly every morning before we proceed to business, and that one or more of the clergy of this city be requested to officiate in that service.

Mr. Sherman seconded the motion.

Mr. Hamilton and several others expressed their apprehensions that, however proper such a resolution might have been at the beginning of the Convention, it might at this late day, in the first place, bring on it some disagreeable animadversions, and in the second lead the public to believe that the embarrassments and dissensions within the convention had suggested this measure. It was answered by Dr. Franklin, Mr. Sherman, and others that the past omission of a duty could not justify a further omission, that the rejection of such a proposition would expose the convention to more unpleasant animadversions than the adoption of it, and that the alarm out of doors that might be excited for the state of things within would at least be as likely to do good as ill.

Mr. Williamson observed that the true cause of the omission could not be mistaken. The convention had no funds.

Mr. Randolph proposed, in order to give a favorable aspect to the measure, that a sermon be preached at the request of the convention on the Fourth of July, the anniversary of independence; and thenceforward prayers, etc., to be read in the convention every morning. Dr. Franklin seconded this motion. After several unsuccessful attempts for silently postponing this matter by adjourning, the adjournment was at length carried without any vote on the motion.

Dr. Johnson.—The controversy must be endless while gentlemen differ in the grounds of their arguments,—those on one side considering the States as districts of people composing one political society, those on the other considering them as so many political societies. The fact is that the States do exist as political societies, and a government is to be formed for them in their political capacity as well as for the individuals composing them. Does it not seem to follow that, if the States, as such, are to exist, they must be armed with some power of self-defense? This is the idea of Colonel Mason, who appears to have looked to the bottom of this matter. Besides the aristocratic and other interests, which ought to have the means of defending themselves, the States have their interests as such, and are equally entitled to like means. On the whole, he thought that, as in some respects the States are to be considered in their politi-

cal capacity, and in others as districts of individual citizens, the two ideas embraced on different sides, instead of being opposed to each other, ought to be combined,—that in one branch the people ought to be represented, in the other the States.

Mr. Gorham.—The States, as now confederated, have no doubt a right to refuse to be consolidated or to be formed into any new system. But he wished the small States, which seemed most ready to object, to consider which are to give up most, they or the larger ones. He conceived that a rupture of the Union would be an event unhappy for all; but, surely, the large States would be least unable to take care of themselves, and to make connections with one another. The weak, therefore, were most interested in establishing some general system for maintaining order. If, among individuals composed partly of weak and partly of strong, the former most need the protection of law and government, the case is exactly the same with weak and powerful States.

What would be the situation of Delaware (for these things he found must be spoken out, and it might as well be done at first as last), what would be the situation of Delaware in case of a separation of the States? Would she not be at the mercy of Pennsylvania? Would not her true interest lie in being consolidated with her; and ought she not now to wish for such a union with Pennsylvania, under one government, as will put it out of the power of Pennsylvania to oppress her? Nothing can be more ideal than the danger ap-



prehended by the States from their being formed into one nation. Massachusetts was originally three colonies, namely, old Massachusetts, Plymouth, and the Province of Maine. These apprehensions existed then. An incorporation took place: all parties were safe and satisfied, and every distinction is now forgotten. The case was similar with Connecticut and New Haven. The dread of union was reciprocal, the consequence of it equally salutary and satisfactory. In like manner, New Jersey has been made one society out of two parts. Should a separation of the States take place, the fate of New Jersey would be worst of all. She has no foreign commerce, and can have but little. Pennsylvania and New York will continue to levy taxes on her consumption. If she consults her interest, she would beg of all things to be annihilated. The apprehensions of the small States ought to be appeased by another reflection. Massachusetts will be divided. The Province of Maine is already considered as approaching the term of its annexation to it; and Pennsylvania will probably not increase, considering the present state of her population and other events that may happen. On the whole, he considered a union of the States as necessary to their happiness, and a firm General Government as necessary to their union. He should consider it his duty, if his colleagues viewed the matter in the same light he did, to stay here as long as any other State would remain with them, in order to agree on some plan that could with propriety be recommended to the people.

Mr. Ellsworth did not despair. He still trusted that some good plan of government would be devised and adopted.

Mr. Read.—He should have no objection to the system if it were truly national, but it has too much of a Federal mixture in it. The little States, he thought, had not much to fear. He suspected that the large States felt their want of energy, and wished for a general government to supply the defect. Massachusetts was evidently laboring under her weakness, and he believed Delaware would not be in much danger if in her neighborhood. Delaware had enjoyed tranquillity, and he flattered himself would continue to do so. He was not, however, so selfish as not to wish for a good general government. In order to obtain one, the whole States must be incorporated. If the States remain, the representatives of the large ones will stick together, and carry everything before them. The Executive, also, will be chosen under the influence of this partiality, and will betray it in his administration. These jealousies are inseparable from the scheme of leaving the States in existence. They must be done away. The ungranted lands also, which have been assumed by particular States, must be given up. He repeated his approbation of the plan of Mr. Hamilton, and wished it to be substituted for that on the table.

Mr. Madison agreed with Dr. Johnson that the mixed nature of the government ought to be kept in view, but thought too much stress was laid on the

rank of the States as political societies. There was a gradation, he observed, from the smallest corporation with the most limited powers to the largest empire with the most perfect sovereignty. He pointed out the limitations on the sovereignty of the States as now confederated. Their laws, in relation to the paramount law of the Confederacy, were analogous to that of by-laws to the supreme law within a State. Under the proposed government the powers of the States will be much farther reduced. According to the views of every member, the general government will have powers far beyond those exercised by the British Parliament when the States were part of the British Empire. It will, in particular, have the power without the consent of the State legislatures, to levy money directly from the people themselves; and, therefore, not to divest such unequal portions of the people as composed the several States of an equal voice would subject the system to the reproaches and evils which have resulted from the vicious representation in Great Britain.

He entreated the gentlemen representing the small States to renounce a principle which was confessedly unjust, which could never be admitted, and which, if admitted, must infuse mortality into a Constitution which we wished to last forever. He prayed them to ponder well the consequences of suffering the Confederacy to go to pieces. It had been said that the want of energy in the large States would be a security to the small. It was forgotten that this want of

energy proceeded from the supposed security of the States against all external danger. Let each State depend on itself for its security, and let apprehensions arise of danger from distant powers or from neighboring States, and the languishing condition of all the States, large as well as small, would soon be transformed into vigorous and high-toned governments. His great fear was that their governments would then have too much energy, that this might not only be formidable in the large to the small States, but fatal to the internal liberty of all. The same causes which have rendered the old world the theatre of incessant wars, and have banished liberty from the face of it, would soon produce the same effects here. The weakness and jealousy of the small States would quickly introduce some regular military force against sudden danger from their powerful neighbors. The example would be followed by others, and would soon become universal.

In time of actual war, great discretionary powers are constantly given to the Executive magistrate. Constant apprehension of war has the same tendency to render the head too large for the body. A standing military force, with an overgrown Executive, will not long be safe companions to liberty. The means of defense against foreign danger have been always the instruments of tyranny at home. Among the Romans it was a standing maxim, to excite a war whenever a revolt was apprehended. Throughout all Europe the armies kept up under the pretext of

defending have enslaved the people. It is, perhaps, questionable whether the best concerted system of absolute power in Europe could maintain itself, in a situation where no alarms of external danger could tame the people to the domestic yoke. The insular situation of Great Britain was the principal cause of her being an exception to the general fate of Europe. It has rendered less defense necessary, and admitted a kind of defense which could not be used for the purpose of oppression. These consequences, he conceived, ought to be apprehended, whether the States should run into a total separation from each other or should enter into partial confederacies. Either event would be truly deplorable; and those who might be accessory to either could never be forgiven by their country nor by themselves.

Mr. Hamilton observed that individuals forming political societies modify their rights differently with regard to suffrage. Examples of it are found in all the States. In all of them, some individuals are deprived of the right altogether, not having the requisite qualification of property. In some of the States the right of suffrage is allowed in some cases, and refused in others. To vote for a member in one branch, a certain quantum of property; to vote for a member in another branch of the legislature, a higher quantum of property is required. In like manner, States may modify their right of suffrage differently, the larger exercising a larger, the smaller a smaller share of it. But, as States are a collection of individual



men, which ought we to respect most, the rights of the people composing them or of the artificial beings resulting from the composition? Nothing could be more preposterous or absurd than to sacrifice the former to the latter. It has been said that, if the smaller States renounce their equality, they renounce at the same time their liberty. The truth is, it is a contest for power, not for liberty. Will the men composing the small States be less free than those composing the larger? The State of Delaware having forty thousand souls will lose power if she has one-tenth only of the votes allowed to Pennsylvania having four hundred thousand; but will the people of Delaware be less free if each citizen has an equal vote with each citizen of Pennsylvania? He admitted that common residence within the same State would produce a certain degree of attachment, and that this principle might have a certain influence on public affairs. He thought, however, that this might by some precautions be in a great measure excluded, and that no material inconvenience could result from it, as there could not be any ground for combination among the States whose influence was most dreaded. The only considerable distinction of interests lay between the carrying and non-carrying States, which divides instead of uniting the largest States. No considerable inconvenience had been found from the division of the State of New York into different districts of different sizes.

Some of the consequences of a dissolution of the Union and the establishment of partial confederacies had been pointed out. He would add another of a most serious nature. Alliances will immediately be formed with different rival and hostile nations of Europe, who will foment disturbances among ourselves, and make us parties to all their own quarrels. Foreign nations having American dominion are, and must be, jealous of us. Their representatives betray the utmost anxiety for our fate; and for the result of this meeting, which must have an essential influence on it. It had been said that respectability in the eyes of foreign nations was not the object at which we aimed, that the proper object of republican government was domestic tranquillity and happiness. This was an ideal distinction. No government could give us tranquillity and happiness at home which did not possess sufficient stability and strength to make us respectable abroad. This was the critical moment for forming such a government. We should run every risk in trusting to future amendments. As yet we retain the habits of union. We are weak, and sensible of our weakness. Henceforward the motives will become feebler, and the difficulties greater. It is a miracle that we are now here exercising our tranquil and free deliberations on the subject. It would be madness to trust to future miracles. A thousand causes must obstruct a reproduction of them.

Mr. Pierce considered the equality of votes under the Confederation as the great source of the public

difficulties. The members of Congress were advocates for local advantages. State distinctions must be sacrificed as far as the general good required, but without destroying the States. Though from a small State, he felt himself a citizen of the United States.

Mr. Gerry urged that we were never independent States, were not such now, and never could be, even on the principles of the Confederation. The States and the advocates for them were intoxicated with the idea of their sovereignty. He was a member of Congress at the time the Federal Articles were formed. The injustice of allowing each State an equal vote was long insisted on. He voted for it; but it was against his judgment, and under the pressure of public danger, and the obstinacy of the lesser States. The present Confederation he considered as dissolving. The fate of the Union will be decided by the Convention. If they do not agree on something, few delegates will probably be appointed to Congress. If they do, Congress will probably be kept up till the new system should be adopted. He lamented that, instead of coming here like a band of brothers, belonging to the same family, we seemed to have brought with us the spirit of political negotiators.

Mr. L. Martin remarked that the language of the States being sovereign and independent was once familiar and understood, though it seemed now so strange and obscure. He read those passages in the Articles of Confederation which describe them in that language.

On the question, as moved by Mr. Lansing, shall the word "not" be struck out?—Connecticut, New York, New Jersey, Delaware, aye,—4; Massachusetts, Pennsylvania, Virginia, North Carolina, South Carolina, Georgia, no,—6; Maryland, divided.

On the motion to agree to the clause as reported, "that the rule of suffrage in the first branch ought not to be according to that established by the Articles of the Confederation,"—Massachusetts, Pennsylvania, Virginia, North Carolina, South Carolina, Georgia, aye,—6; Connecticut, New York, New Jersey, Delaware, no,—4; Maryland, divided.

Dr. Johnson and Mr. Ellsworth moved to postpone the residue of the clause, and take up the eighth resolution.

On the question,—Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, aye,—9; Massachusetts, Delaware, no,—2.

Mr. Ellsworth moved "that the rule of suffrage in the second branch be the same with that established by the Articles of Confederation." He was not sorry, on the whole, he said, that the vote just passed had determined against this rule in the first branch. He hoped it would become a ground of compromise with regard to the second branch. We were partly national, partly federal. The proportional representation in the first branch was conformable to the national principle, and would secure the large States against the small. An equality of voices was con-

formable to the federal principle, and was necessary to secure the small States against the large. He trusted that on this middle ground a compromise would take place. He did not see that it could on any other, and, if no compromise should take place, our meeting would not only be in vain, but worse than in vain. To the eastward, he was sure, Massachusetts was the only State that would listen to a proposition for excluding the States, as equal political societies, from an equal voice in both branches. The others would risk every consequence rather than part with so dear a right. An attempt to deprive them of it was at once cutting the body of America in two, and, as he supposed would be the case, somewhere about this part of it. The large States, he conceived, would, notwithstanding the equality of votes, have an influence that would maintain their superiority. Holland, as had been admitted (by Mr. Madison), had, notwithstanding a like equality in the Dutch confederacy, a prevailing influence in the public measures. The power of self-defense was essential to the small States. Nature had given it to the smallest insect of the creation. He could never admit that there was no danger of combinations among the large States. They will, like individuals, find out and avail themselves of the advantage to be gained by it. It was true the danger would be greater if they were contiguous, and had a more immediate and common interest. A defensive combination of the small States was rendered more difficult by their greater number. He would mention



another consideration of great weight. The existing Confederation was founded on the equality of the States in the article of suffrage,—was it meant to pay no regard to this antecedent plighted faith. Let a strong Executive, a Judiciary and Legislative power be created, but let not too much be attempted, by which all may be lost. He was not in general a half-way man, yet he preferred doing half the good we could rather than do nothing at all. The other half may be added when the necessity shall be more fully experienced.

Mr. Baldwin could have wished that the powers of the general Legislature had been defined before the mode of constituting it had been agitated. He should vote against the motion of Mr. Ellsworth, though he did not like the resolution as it stood in the report of the committee of the whole. He thought the second branch ought to be the representation of property, and that, in forming it, therefore, some reference ought to be had to the relative wealth of their constituents, and to the principles on which the Senate of Massachusetts was constituted. He concurred with those who thought it would be impossible for the general legislature to extend its cares to the local matters of the States.

Adjourned.

## THE NORTHWEST ORDINANCE

*By Nathan Dane*

*IN THIS letter written to Daniel Webster in 1830, Dane, who had been chairman of the Congressional committee which sponsored the celebrated Northwest Ordinance of 1787, contemporary with the Constitution, asserts his authorship of it and denies that it was based upon an earlier plan drawn up by Thomas Jefferson. It was a constitution of government for the Northwest Territory which, it nominated, was to be divided into not less than three nor more than five States. They are Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota. Jefferson would have named them Sylvania, Michigania, Chersonesus, Assenisipia, Mesopotamia, Illinoia, Washington, Polypotamia and Pelisipia.*

*It prohibited slavery and guaranteed, in addition to religious worship, the first permanent titles to property, completely republican, in Federal America. Its authorship also has been attributed to Manasseh Cutler, a Massachusetts lawyer, like Dane, who helped found Marietta, Ohio.*

23, 1784, is contained in two pages and a half; is a mere incipient plan, in no manner matured for practice, as may be seen. The Ordinance of July, 1787,

YOU recollect you ascribed to me the formation of the Ordinance of the Old Congress, of July 13, 1787. Since writing you last, I have seen Mr. Benton's speech on the subject, in the "National Intelligencer," of March 6, 1830, in which, I find, on no authority, he ascribes its formation in substance to Mr. Jefferson; that is, that Mr. Jefferson formed an ordinance in 1784, and he seems to infer from that the Ordinance of '87 was taken or copied. This inference of Benton's has not the least foundation, as thus appears: Mr. Jefferson's resolve, or plan (not ordinance), of April

contains eight pages; is in itself a complete system, and finished for practice; and, what is very material, there cannot be found in it more than twenty lines taken from Jefferson's plan, and these worded differently. In fact, his plan and this Ordinance are totally different, in size, in style, in form, and in principle. Mr. Benton's assertion, so groundless, extorts from me the above, and the following exposition, in defense of those who have long ascribed to me the formation. . . .

1. As I am the only member of Congress living who had any concern informing or in passing this Ordinance, no living testimony is to be expected.

2. In the "North American Review" of July, 1826, pages 1 to 41, is a review of my "General Abridgment," etc., of American Law. In page 40, it is said, I "was the framer of the celebrated Ordinance of Congress, of 1787." At present it is enough to add this fact, stated in the Inaugural Discourse of Judge Story, page 58. . . .

Generally, when persons have asked me questions respecting the Ordinance, I have referred to the Ordinance itself, as evidently being the work of a Massachusetts lawyer on the face of it. I now make the same reference, and to its style, found in my "Abridgment," etc.

3. When I mention the formation of this Ordinance, it is proper to explain. It consists of three parts. 1st, The titles to estates, real and personal, by deed, by will, and by descent; also personal, by

delivery. These titles occupy the first part of the Ordinance, not a page, evidently selected from the laws of Massachusetts, except it omits the double share of the oldest son. These titles were made to take root in the first and early settlements, in 400,000 square miles. Such titles so taking root, we well know, are, in their nature, in no small degree permanent; so, vastly important. I believe these were the first titles to property, completely republican, in Federal America; being in no part whatever feudal or monarchical. 2d, It consists of the temporary parts that ceased with the territorial condition; which, in the age of a nation, soon pass away, and hence are not important. These parts occupy about four pages. They designate the officers, their qualifications, appointments, duties, oaths, etc., and a temporary legislature. Neither those parts, nor the titles, were in Jefferson's plan, as you will see. The 3d part, about three pages, consists of the six fundamental articles of compact, expressly made permanent, and to endure forever; so, the most important and valuable part of the Ordinance.

These, and the titles to estates, I have ever considered the parts of the Ordinance that give it its peculiar character and value; and never the temporary parts, of short duration. Hence, whenever I have written or spoken of its formation, I have mainly referred to these titles and articles; not to the temporary parts, in the forming of which, in part, in 1786, Mr. Pinckney, myself, and, I think, Smith, took a part. So little

was done with the Report of 1786, that only a few lines of it were entered in the Journals. I think the files, if to be found, will show that Report was reformed, and temporary parts added to it, by the committee of '87; and that I then added the titles and six articles; five of them before the Report of 1787 was printed, and the sixth article after, as below.

4. As the slave article has ever principally attracted the public attention, I have, as you will see, ever been careful to give Mr. Jefferson and Mr. King their full credit in regard to it. I find in the Missouri contest, ten years ago, the slave-owners in Congress condemned the six articles generally; and Mr. Pinckney, one of the Committee of 1786, added, they were an attempt to establish a compact, where none could exist, for want of proper parties. This objection, and also the one stating the Ordinance was an usurpation, led me to add pages 442, beginning remarks, to page 450, in which I labored much to prove it was no usurpation, and that the articles of compact were valid. They may be referred to, as in them may be seen the style of the Ordinance, though written thirty-four years after that was. Slave-owners will not claim as Mr. Pinckney's work what he condemned. Careful to give Mr. J. and Mr. K. full credit in pages 443, 446, Vol. VII, I noticed Mr. Jefferson's plan of '84, and gave him credit for his attempt to exclude slavery after the year 1800. I may now add, he left it to take root about seventeen years; so his exclusion was far short of the sixth article in the Ordinance.



Page 446, I noticed the motion (Mr. King's) of March 16, 1785, and admitted it to be a motion to exclude slavery, as fully as in the sixth article. I now think I admitted too much. He moved to exclude slavery only from the States described in the Resolve of Congress, of April 23, 1784, Jefferson's Resolve, and to be added to it. It was very doubtful whether the word States, in that Resolve, included any more territory than the individual States ceded; and whether the word States included preceding territorial condition. Some thought his motion meant only future exclusion, as did Mr. Jefferson's plan clearly: therefore, in forming the Ordinance of '87, all about States in his plan was excluded, as was nearly all his plan, as inspection will prove, and that Ordinance made, in a few plain words, to include "the territory of the United States northwest of the river Ohio"—all made, for the purposes of temporary government, one district; and the sixth article excludes slavery forever from "the said territory." One part of my claim to the slave article I now, for the first time, state. In April, 1820 (Missouri contest), search was made for the original manuscript of the Ordinance of '87. Daniel Bent's answer was, "that no written draft could be found"; but there was found, attached to the printed Ordinance, in my handwriting, the sixth article, as it now is,—that is, the slave article. So this article was made a part of the Ordinance solely by the care of him, who says Mr. Benton no more formed

the Ordinance of '87 than he did. I have Bent's certificate, etc.

5. In pages 389, 390, Sec. 3, Vol. VII, I mention the Ordinance of '87 was framed, mainly, from the laws of Massachusetts. This appears on the face of it; meaning the titles to estates, and nearly all the six articles, the permanent and important parts of it, and some other parts; and, in order to take the credit of it to Massachusetts, I added, "this Ordinance (formed by the author, etc.) was framed," etc. I then had no idea it was ever claimed as the draft of any other person. Mr. Jefferson I never thought of. In the Missouri contest, Mr. Grayson was mentioned as the author; but, as he never was on any committee in the case, nor wrote a word of it, the mention of him was deemed an idle affair. We say, and properly, Mr. Jefferson was the author of the Declaration of Independence (or formed it, as you observe); yet he no more than collected the important parts, and put them together. If any lawyer will critically examine the laws and constitutions of the several States, as they were in 1787, he will find the titles, six articles, etc., were not to be found anywhere else so well as in Massachusetts, and by one who, in '87, had been engaged several years in revising her laws. See "North American Review" July, 1826, pages 40, 41. I have never claimed originality, except in regard to the clause against impairing contracts, and perhaps the Indian article, part of the third article, including, also, religion, morality, knowledge, schools, etc.

## HOW JOHN HANCOCK SUPPORTED THE CONSTITUTION

*By Stephen Higginson*

*THIS is one of a series of articles signed "Laco" which Higginson published in 1789 in an effort to prevent the reelection of John Hancock as Governor of Massachusetts. Higginson was a prominent Boston merchant and a staunch Federalist. Hancock, who had in his early manhood inherited a fortune of \$400,000 from an uncle, had been president of the Continental Congress, a signer of the Declaration of Independence, first Governor of Massachusetts and, in 1788, presided over the Massachusetts convention which ratified the Federal Constitution.*

*Evidently Higginson detested Hancock, who is nevertheless generally considered to have been a Revolutionary patriot of considerable ability, whose usefulness at times was impaired by his vanity. The "Old Patriot" of the text was Samuel Adams.*

**T**HERE are men in every free society, who have not a common interest with the community at large; and who rely wholly on the popular affection in their favor, to give them promotion and support in public life. . . . Without abilities to make them really useful in public life, and devoid of principles or merits that can command respect, they have no dependence but upon popular inattention to bring them into view; and, having been long attentive to the popular

pulse, and always acquainted with the darling object with the multitude for the time, they rarely fail to touch the right string, and to make the people subserve their own selfish and private views. . . . There cannot be found within the compass of our memory, an instance, so strongly verifying the preceding ob-

servation, as that of Mr. H. and his adhering dependents. . . .

. . . The course of his conduct from his reassuming the chair, to the meeting of our State Convention, for considering and adopting the new form of government for the Union, was nothing more than a renewed exhibition of the same levities, and a uniform preference of his own private interest, to that of the public.

A scene now opens upon us, very interesting and important:—The objects which [were] then presented for our consideration, were so novel, and of such magnitude, as deservedly engrossed the feelings and the attention of every man. No one could remain mute and indifferent, while the question as to the new Constitution was pending; and every one, who felt no other bias than a regard to the safety and happiness of our country must necessarily create, was most anxiously solicitous for its adoption. But the popular demagogues, and those [who] were very much embarrassed in their affairs, united to oppose it with all their might; and they labored incessantly, night and day, to alarm the simple and credulous, by insinuating, that, however specious its appearance, and that of its advocates, tyranny and vassalage would result from its principles. The former of those descriptions were conscious that a stable and efficient government would deprive them of all future importance, or support from the public; and the latter of them knew, that nothing but weakness and convul-

sions in government could screen them from payment of their debts.

How far Mr. H. was influenced by either, or both of those motives, it is not easy to determine; but no one who recollects his general habits, who knows his situation and views, and was acquainted with the open conversation and conduct of his cabinet counsellors, can have a doubt of his being opposed to it. We all know, that Mr. Quondam, and Mr. Changeling, as well as the once venerable old patriot, who, by a notable defection, has lately thrown himself into the arms of Mr. H. in violation of every principle; and for the paltry privilege of sharing in his smiles, has, at the eve of life, cast an indelible stain over his former reputation—it is well known, I say, that these men do not dare to speak in public a language opposite to that of their patron; and it is equally notorious, that they were open in their opposition to the Constitution. They even went so far as to vilify its compilers, that they might thence draw an argument to support their suggestions of its containing the seeds of latent tyranny and oppression. They endeavored by every possible means in their power to create a popular clamor against the Constitution; but they failed in their attempt; and Mr. H. and his friends were obliged, upon their own principles, to grow more cautious in their opposition.

The good sense of the mechanics of Boston, had produced some manly and spirited resolutions, which effectually checked Mr. H. and his followers in their



opposition to the Constitution; and eventually occasioned four votes in its favor, which otherwise would have been most certainly against it. Had those resolutions not made their appearance, Mr. H. and three others of our delegates would have been in the negative; but it was thought necessary by them, after they had appeared, to vote in favor of it. Having settled this point, the next thing was to do it with a good grace, and to profit as much by it as they could; and Mr. H. accordingly intimated to the advocates for the adoption that he would appear in its favor, if they would make it worth his while.

This intimation was given through a common friend, who assured the friends of the Constitution, that nothing more would be required on the part of Mr. H. than a promise to support him in the chair at the next election. This promise, though a bitter pill, was agreed to be given; for such was the state of things, that they were very much afraid to decide upon the question, while he was opposed to it. The famous conciliatory proposition of Mr. H., as it was called, was then prepared by the advocates, and adopted by him; but the truth is he never was consulted about it, nor knew its contents, before it was handed to him to bring forward in Convention.

At the appointed time, Mr. H. with all the parade of an arbiter of States, came out with the motion, not only in the words, but the very original paper that was given him; and, with a confidence astonishing to all who were in the secret, he called it his own, and

said it was the result of his own reflections on the subject, in the short intervals of ease which he had enjoyed during a most painful disorder. In this pompous and farcical manner did he make that famous proposition upon which he and his adherents have arrogated so much; but neither he nor they have any other merit in the case than an attempt to deceive both parties can fairly entitle them. For, at the very time he was buoying up the hopes of the advocates, he was assuring the opposers of the Constitution, by his emissaries, that he was really averse to it; and upon the strictest scrutiny we cannot find that any one vote was gained by his being ostensibly in favor of it.

The votes of the old patriot, and Mr. Changeling, and Mr. Joyce, Junior, we know were determined in its favor, by the resolutions of the mechanics; but the votes of many others, who used implicitly to follow Mr. H., were in the negative, which were counted upon by the friends of the Constitution, as being certain on their side. This is a strong confirmation that Mr. H. was then playing a game, which these people well understood; and indeed they, some of them, explicitly declared it at the time. His subsequent conduct, in regard to amendments, is a clear proof also that by appearing in its favor in Convention, he did not mean to support it; and that he was not serious when he declared his proposition to be only conciliatory, and not to remedy any defects existing in his mind in the Constitution as reported, which he explicitly declared at the time was the case.

## THE NORTHWEST FUR TRADE

By Captain William Sturgis

FROM 1788 to 1830 the fur trade between Boston, the Pacific Coast and China was an important stage in American expansion. It led to the discovery of the Columbia River, and to the annexation of two great States. Furthermore, it inaugurated our traditional friendly relations with China.

This is part of a lecture delivered in 1846 and reported in *Hunt's Merchants Magazine* (Boston). Its author was actively engaged in the Northwest Fur Trade between 1798 and 1829, when, on its ceasing to be profitable, he became a dominant factor in the California hide traffic. It was on one of his vessels that Richard H. Dana sailed "Two Years Before the Mast."

Keenly interested in the Oregon question, it was Sturgis's compromise boundary suggestion, published in pamphlet form in 1845, that influenced the negotiations which established the forty-ninth parallel between this country and Canada.

and a departure from this prudent course, has, in numerous instances, been followed by the most disastrous and tragic results.

THE Northwest Fur Trade, in which our citizens largely participated, and at one period nearly monopolized, was principally limited to the sea-coast between the mouth of the Columbia river, in latitude  $46^{\circ}$ , to the numerous islands bordering this whole extent of coast, and the sounds, bays, and inlets, within these limits. Trade was always carried on alongside, or on board the ship, usually anchored near the shore, the Indians coming off in their canoes. It was seldom safe to admit many of the natives into the ship at the same time,

The vessels usually employed were from one hundred to two hundred and fifty tons burthen, each. The time occupied for a voyage by vessels that remained upon the coast only a single season, was from twenty-two months to two years, but they generally remained out two seasons, and were absent from home nearly three years. The principal object of the voyages was to procure the skins of the sea-otter, which were obtained from the natives by barter, carried to Canton, and there exchanged for the productions of the Celestial Empire, to be brought home or taken to Europe, thus completing what may be called a trading voyage.

Beaver and common otter skins, and other small furs, were occasionally procured in considerable quantities, but in the early period of the trade they were deemed unimportant, and little attention was given to collecting them. The sea-otter skins have ever been held in high estimation by the Chinese and Russians, as an ornamental fur; but its great scarcity and consequent cost, limits the wear to the wealthy and higher classes only. A full-grown prime skin, which has been stretched before drying, is about five feet long, and twenty-four to thirty inches wide, covered with very fine fur, about three-fourths of an inch in length, having a rich jet black, glossy surface, and exhibiting a silver color when blown open. Those are esteemed the finest skins which have some white hairs interspersed and scattered over the whole surface, and a perfectly white head. . . .

After the expedition of Bering and Co., in 1741, these excursions were slowly extended to other groups between the two continents, and when Cook, in 1778, explored these northern regions, he met with Russian adventurers upon several of the islands in proximity with the American shore. It was, however, the publication of Cook's northern voyages, in 1785, that gave the great impulse to the Northwest Fur Trade, and drew adventurers from several nations to that quarter.

The published journal of Captain King, who succeeded to the command of one of the ships after the death of Captains Cook and Clark, and his remarks, setting forth the favorable prospects for this trade, doubtless roused the spirit of adventure. Between the time of the publication referred to, in 1785, and the close of 1787, expeditions were fitted out from Canton, Macao, Calcutta, and Bombay, in the East; London and Ostend in Europe; and from Boston in the United States. In 1787, the first American expedition was fitted out, and sailed from Boston. It consisted of the ship *Columbia*, of two hundred and twenty, and the sloop *Washington*, of ninety tons burthen—the former commanded by John Kendrick, the latter by Robert Gray.

It is scarcely possible, in the present age, when the departure or return of ships engaged in distant voyages is an every-day occurrence, to appreciate the magnitude of this undertaking, of the obstacles and



difficulties that had to be surmounted in carrying it out. . . .

The project of engaging in the fur trade of the North Pacific, from this country, was first brought forward by the celebrated American traveler, Ledyard. In his erratic wanderings, he entered on board the ship *Resolution*, as corporal of marines, with Captain Cook, upon his last voyage. . . .

Bering, a Danish navigator in the service of Russia, who commanded the expedition just mentioned, was wrecked in 1741, upon an island that bears his name, and perished miserably in the course of the winter. He was the first navigator known to have passed through the strait that separates Asia from America; and Cook, who was the next to sail through it, in a commendable spirit of justice, gave to this strait the name of the unfortunate Bering. The fate of Cook is well known. He was killed by the natives of the Sandwich Islands, of which group he was the discoverer. . . .

Kendrick was fated never to return. After remaining with both vessels two seasons on the northwest coast, he sent the *Columbia* home, in charge of Captain Gray, and remained himself in the sloop *Washington*. He continued in her several years, trading on the coast and at the Sandwich Islands.

In 1792, while lying in the harbor of Honolulu, at one of these islands, and receiving, upon his birthday, a complimentary salute from the captain of an English trading vessel anchored near, he was instantly

killed by a shot carelessly left in one of the guns fired on the occasion.

Captain Gray reached home in the *Columbia*, in the summer of 1790, and thus completed the first circumnavigation of the globe under the American flag. He was immediately fitted out for a second voyage in the same ship, and it was during this voyage that he discovered, entered, and gave the name to the *Columbia* river, a circumstance now relied upon as one of the strongest grounds to maintain our claim to the Oregon Territory. He died abroad some years ago.

The voyage of the *Columbia* was not profitable to her owners, in a pecuniary view, but it opened the way for other adventures, which were commenced on her return. In 1791, there were seven vessels from the United States in the North Pacific in pursuit of furs. For various reasons, the American traders so far gained the ascendancy, that at the close of the eighteenth century, with the exception of the Russian establishment on the northern part of the coast, the whole trade was in our hands; and so remained until the close of the war with Great Britain, in 1815. This trade was confined almost exclusively to Boston. It was attempted, unsuccessfully, from Philadelphia and New York, and from Providence and Bristol, in Rhode Island. Even the intelligent and enterprising merchants of Salem, failed of success; some of them, however, were interested in several of the most successful northwestern voyages carried on from Boston. So many of the vessels engaged in this trade belonged

here, the Indians had the impression that Boston was our whole country. Had any one spoken to them of American ships, or American people, he would not have been understood. We were only known as Boston ships, and Boston people.

Subsequently, the war with Great Britain interrupted the trade for a time; but after the peace of 1815, it was resumed, and flourished for some years. The difficulties and uncertainty in procuring furs became so serious, that in 1829 the business north of California was abandoned.

The narrative of Cook's voyage shows the value of a prime skin to have been, at the time of that voyage, \$120. In 1802, when the largest collection was made, the average price of large and small skins, at Canton, was only about \$20 each. At the present time, those of first quality would sell readily at \$150. Some seventy or eighty ordinary California skins, brought home a few months ago, were sold here at nearly \$60 each, to send to the north of Europe.

The trade on the coast was altogether a barter trade. It consisted in part of blankets, coarse cloths, great-coats, fire-arms and ammunition, rice, molasses, and biscuit, coarse cottons, cutlery, and hard-ware, a great variety of trinkets, &c.; in fact, everything that one can imagine. Copper has long been known, and highly prized by the Indians. It was put to no use, but was considered very valuable, and a person having a few pieces was deemed a wealthy man.

The natives had no currency. But the skin of the ermine, found in limited numbers upon the northern part of the continent, was held in such universal estimation, and of such uniform value, among many tribes, that it in a measure supplied the place of currency. The skin of this little slender animal is from eight to twelve inches in length, perfectly white, except the tip of the tail, which is jet black.

[Urged by some Indian friends, in 1802, Mr. Sturges obtained and sent home a fine specimen, with a request that a quantity should be ordered at the annual Leipsic fair, where he supposed they might be obtained. About 5,000 were procured, which he took out with him on the next voyage, and arrived at Kigarnée, one of the principal trading places on the coast, early 1804. Having previously encouraged the Indians to expect them, the first question was, if he had "clicks" (the Indian name for the ermine skin) for sale, and being answered in the affirmative, great earnestness was manifested to obtain them, and it was on that occasion that he purchased 560 prime sea-otter skins, at that time worth \$50 apiece at Canton, in a single forenoon, giving for each five ermine skins, that cost less than thirty cents each in Boston. He succeeded in disposing of all his ermines at the same rate, before others carried them out—but in less than two years from that time, one hundred of them would not bring a sea-otter skin].

Among a portion of the Indians, the management of trade was entrusted to the women. The reason

given by the men was, that women could talk with the white men better than they could, and were willing to talk more.

When the natives had a number of skins for sale, it was usual to fix a price for those of the first quality as a standard, which required a great deal of haggling. In addition to the staple articles of blankets, or cloth, or muskets, &c., that constituted this price, several smaller articles were given as presents, nominally, but in reality formed part of the price. Of these articles, different individuals would require a different assortment: a system of equivalents was accordingly established. For instance, an iron pot and an ax were held to be of equal value—so of a knife and a file, a pocket looking-glass and a pair of scissors.

Various efforts were made by the Indians to obtain a more valuable article than the established equivalent. To avoid trouble, which would certainly follow if the trader yielded in a single instance, he often found it necessary to waste hours in a contest with a woman about articles of no greater value than a skein of thread or a sewing-needle. From various causes, the northwest trade was liable to great fluctuations. The laws of supply and demand were frequently disregarded, and prices consequently often unsettled. Prime sea-otter skins were obtained for articles that did not cost fifty cents at home. . . .

While most of those who have rushed into this trade without knowledge, experience, or sufficient capital to carry it on, have been subjected to such seri-



ous losses, they were compelled to abandon it; to all who pursued it systematically and perseveringly, for a series of years, it proved highly lucrative. Among those who were the most successful in this trade, were the late firm of J. & T. H. Perkins, J. & Thos. Lamb, Edward Dorr & Sons, Boardman & Pope, Geo. W. Lyman, Wm. H. Boardman, the late Theodore Lyman, and several others, each of whom acquired a very ample fortune.

These fortunes were not acquired, as individual wealth not unfrequently is, at the expense of our own community, by a tax upon the whole body of consumers, in the form of enhanced prices, often from adventitious causes. They were obtained abroad by giving to the Indians articles which they valued more than their furs, and then selling those furs to the Chinese for such prices as they are willing to pay; thus adding to the wealth of the country at the expense of foreigners, all that was acquired by individuals beyond the usual return for the use of capital, and suitable compensation for the services of those employed. This excess was sometimes very large. More than once a capital of \$40,000, employed in a northwest voyage, yielded a return exceeding \$150,000. In one instance, an outfit not exceeding \$50,000, gave a gross return of \$284,000. The individual who conducted the voyage is now a prominent merchant of Boston.

(In conclusion, the lecturer gave a brief account of the two great fur companies.) In 1785 an associa-

tion of merchants was formed in Siberia for the purpose of collecting furs in the North Pacific. In 1799 they were chartered under the name of the Russian American Company, with the exclusive privilege of procuring furs within the Russian limits, ( $54^{\circ} 40'$ ) for a period of twenty years, which has since been extended.

The British Hudson Bay Company was chartered by Charles II., in 1669, with the grant of the exclusive use and control of a very extensive though not well-defined country, north and west of Canada. This uncertainty as to limits, led to the formation of an association of merchants in Canada in 1787, called the Northwest Company, for carrying on the fur trade without the supposed boundaries of the Hudson Bay Company.

Those in the service of these concerns soon came in collision. Disputes and personal violence followed. At length, in June, 1816, a pitched battle was fought near a settlement that had been made by Lord Selkirk, upon the Red River, under a grant from the Hudson Bay Company, between the settlers and a party in the service of the Northwest Company, in which Governor Semple and seventeen of his men were killed. This roused the attention of the British government, and in 1821, the two companies were united, or rather, the Northwest Company was merged into the Hudson Bay Company. Previous to this, however, the Northwest Company had, in 1806, established trading posts beyond the Rocky Moun-

tains. During the last war with Great Britain, they got possession of Mr. Astor's settlement at the mouth of the Columbia, and extended their posts on several branches of that river. These establishments being united, it infused new life, and their operations have since been conducted with increased vigor. They have now, practically, a monopoly of the fur trade, from  $42^{\circ}$  to  $54^{\circ} 40'$ , on the western sea-board, and from  $49^{\circ}$  to the Northern Ocean, upon the rest of the American continent.

With the exception of the British East India Company, the Hudson Bay Company is the most extensive and powerful association of individuals for private emolument now in existence, and their influence has hitherto prevented an adjustment of the Oregon question. . . . The whole business of collecting furs upon our western continent, without the acknowledged limits of the United States, is now monopolized by two great corporations, the Russian and British Fur Companies.

After the peace in 1815, the British Northwest Company—partly in consequence of the monopoly of the East India Company—were compelled to seek the aid of American merchants and American vessels, in carrying on an important branch of their business. For a number of years, all the supplies for British establishments, west of the Rocky Mountains, were brought from London to Boston, and carried hence to the mouth of the Columbia in American ships, and all their collections of furs sent to Canton, consigned

to an American house, and the proceeds shipped to England or the United States, in the same vessels; a fact which speaks loudly in favor of the freedom of our institutions and the enterprise of our merchants. Our respected fellow citizens, Messrs. Perkins & Co., furnished the ships, and transacted the business.

## WASHINGTON BECOMES OUR FIRST PRESIDENT

*By William Maclay*

CONGRESS was sitting in New York on April 30, 1789, when Washington took the oath of office as Chief Executive. The author of this account was present on the eventful occasion as a United States Senator from Pennsylvania.

Maclay had served in the French and Indian War, was attorney from the Penn family and a judge of the Court of Common Pleas in Pennsylvania. His term of two years in the United States Senate was characterized by a violent hostility to Washington, to whose presence in the Senate chamber he objected, and to the Federalist administration and policy generally. His bias is clearly shown in this extract from his "Journal," which is printed here by permission of its editor, Edgar S. Maclay, author of an authoritative "History of the Navy."

The house occupied by Washington in New York, where Senator Maclay was a dinner guest, faced on what is now known as Franklin Square.

AS THE company returned into the Senate chamber, the President took the chair and the Senators and Representatives their seats. He [Washington] rose, and all arose also, and addressed them. This great man was agitated and embarrassed more than ever he was by the leveled cannon or pointed musket. He trembled, and several times could scarce make out to read, though it must be supposed he had often read it before. He put part of the fingers of his left hand into the side of what I think the tailors call the fall of the breeches,

changing the paper into his left hand. After some time he then did the same with some of the fingers of his right hand. When he came to the words all



the world, he made a flourish with his right hand, which left rather an ungainly impression. I sincerely, for my part, wished all set ceremony in the hands of the dancing-masters, and that this first of men had read off his address in the plainest manner, without ever taking his eyes from the paper, for I felt hurt that he was not first in everything. He was dressed in deep brown, with metal buttons, with an eagle on them, white stockings, a bag, and sword. . . .

[Aug. 27.] Senate adjourned early. At a little after four I called on Mr. Bassett, of the Delaware State. He went to the President's to dinner. The President and Mrs. Washington sat opposite each other in the middle of the table; the two secretaries, one at each end. It was a great dinner, and the best of the kind I ever was at. The room, however, was disagreeably warm.

First was the soup; fish roasted and boiled; meats, gammon, fowls, etc. This was the dinner. The middle of the table was garnished in the usual tasty way, with small images, flowers (artificial), etc. The dessert was, first apple-pies, puddings, etc.; then iced creams, jellies, etc., then watermelons, muskmelons, apples, peaches, nuts.

It was the most solemn dinner ever I sat at. Not a health drunk; scarce a word said until the cloth was taken away. Then the President, filling a glass of wine, with great formality drank to the health of every individual by name round the table. Everybody imitated him, charged glasses, and such a buzz of

"health, sir," and "health, madam," and "thank you, sir," and "thank you, madam," never had I heard before. Indeed, I had liked to have been thrown out in the hurry; but I got a little wine in my glass, and passed the ceremony. The ladies sat a good while, and the bottles passed about; but there was a dead silence almost. Mrs. Washington at last withdrew with the ladies.

I expected the men would now begin, but the same stillness remained. The President told of a New England clergyman who had lost a hat and wig in passing a river called the Brunks. He smiled, and everybody else laughed. He now and then said a sentence or two on some common subject, and what he said was not amiss. The President kept a fork in his hand, when the cloth was taken away, I thought for the purpose of picking nuts. He ate no nuts, however, but played with the fork, striking on the edge of the table with it. We did not sit long after the ladies retired. The President rose, went upstairs to drink coffee; the company followed. I took my hat and came home.

This was levee day, and I accordingly dressed and did the needful. It is an idle thing, but what is the life of men but folly?—and this is perhaps as innocent as any of them, so far as respects the persons acting. The practise, however, considered as a feature of royalty, is certainly anti-republican. This certainly escapes nobody. The royalists glory in it as a point gained. Republicans are borne down by fashion and a fear of being charged with a want of respect to General

Washington. If there is treason in the wish I retract it, but would to God this same General Washington were in heaven! We would not then have him brought forward as the constant cover to every unconstitutional and irrepublican act.

## WASHINGTON'S INAUGURAL ADDRESS

FELLOW Citizens of the Senate and House of Representatives: Among the vicissitudes incident to life, no event could have filled me with greater anxieties, than that of which the notification was transmitted by your order, and received on the 14th day of the present month [April, 1789]. On the one hand I was summoned by my country, whose voice I can never hear but with veneration and love, from a retreat which I had chosen with the fondest predilection, and, in my flattering hopes, with an immutable decision, as the asylum of my declining years; a retreat which was rendered every day more necessary as well as more dear to me, by the addition of habit to inclination, and of frequent interruptions in my health to the gradual waste committed on it by time. On the other hand, the magnitude and difficulty of the trust, to which the voice of my country called me, being sufficient to awaken in the wisest and most experienced of her citizens a distrustful scrutiny into his qualifications, could not but overwhelm with despondence one who, inheriting inferior endowments from nature, and unpractised in the duties of civil administration, ought to be peculiarly conscious of his own deficiencies. In this conflict of emotions all I dare aver is that it has been my faithful study to collect my duty from a just appreciation of every circumstance by which it might be affected. All I dare hope is that if, in executing this task, I have been too much swayed

by a grateful remembrance of former instances, or by an affectionate sensibility to this transcendent proof of the confidence of my fellow-citizens; and have hence too little consulted my incapacity as well as disinclination for the weighty and untried cares before me, my error will be palliated by the motives which misled me, and its consequences be judged by my country with some share of the partiality in which they originated.

Such being the impressions under which I have, in obedience to the public summons, repaired to the present station, it would be peculiarly improper to omit, in this first official act, my fervent supplications to the Almighty Being, who rules over the universe, who presides in the councils of nations, and whose providential aids can supply every human defect, that His benediction may consecrate to the liberties and happiness of the people of the United States a government instituted by themselves for these essential purposes, and may enable every instrument employed in its administration to execute with success the functions allotted to his charge.

In tendering this homage to the great Author of every public and private good, I assure myself that it expresses your sentiments not less than my own; nor those of my fellow-citizens at large, less than either. No people can be bound to acknowledge and adore the invisible hand, which conducts the affairs of men, more than the people of the United States. Every step, by which they have advanced to the character of



an independent nation, seems to have been distinguished by some token of providential agency. And, in the revolution just accomplished in the system of their united government, the tranquil deliberations and voluntary consent of so many distinct communities, from which the event has resulted, cannot be compared with the means by which most governments have been established, without some return of pious gratitude along with a humble anticipation of the future blessings which the past seem to presage. These reflections, arising out of the present crisis, have forced themselves too strongly on my mind to be suppressed. You will join with me, I trust, in thinking that there are none under the influence of which the proceedings of a new and free government can more auspiciously commence.

By the article establishing the executive department, it is made the duty of the President "to recommend to your consideration such measures as he shall judge necessary and expedient." The circumstances, under which I now meet you, will acquit me from entering into that subject farther than to refer you to the great constitutional charter under which we are assembled; and which, in defining your powers, designates the objects to which your attention is to be given. It will be more consistent with those circumstances, and far more congenial with the feelings which actuate me, to substitute, in place of a recommendation of particular measures, the tribute that is due to the talents, the rectitude, and the patriotism,

which adorn the characters selected to devise and adopt them. In these honorable qualifications I behold the surest pledges, that as, on one side, no local prejudices or attachments, no separate views of party animosities, will misdirect the comprehensive and equal eye, which ought to watch over this great assemblage of communities and interest, so, on another, that the foundations of our national policy will be laid in the pure and immutable principles of private morality, and the preëminence of a free government be exemplified by all the attributes which can win the affections of its citizens, and command the respect of the world.

I dwell on this prospect with every satisfaction which an ardent love for my country can inspire; since there is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity; since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected on a nation that disregards the eternal rules of order and right, which Heaven itself has ordained; and since the preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered as deeply, perhaps as finally, staked on the experiment intrusted to the hands of the American people.

## WHY THE WEST WOULD NOT SECEDE

*By General Rufus Putnam*

*THE West referred to here comprised the country west of the Alleghenies extending southward from the Great Lakes and east of the Mississippi. At the time (January, 1790) that General Putnam wrote this letter to Fisher Ames, Congressman from Massachusetts, the Louisiana Purchase was not even contemplated.*

*Putnam, a Revolutionary veteran, was one of the organizers of the Ohio Company, to which Congress deeded 1,500,000 acres of land at the junction of the Ohio and Muskingum Rivers at 66⅔ cents an acre. As director of the company, he led the first party of settlers to the new frontier, laying out Marietta, the first organized settlement in the Northwest Territory. He was one of the judges of its United States Court, and founded the first Bible society west of the Alleghenies.*

*No one in his time could speak with greater authority of anything pertaining to the vast territory comprising the eastern half of the Mississippi Basin.*

IN conversation with you at New York in July last (if I recollect right), you made this a question: "Can we retain the western country within the government of the United States? And if we can, of what use will it be to them?" . . .

That they may be retained appears to me evident from the following consideration, viz., that it will always be their interest that they should remain connected. . . . It is true that flour, hemp, tobacco, iron, potash and such bulky articles will go down the Mississippi to New Orleans for market, and there be sold, or shipped to the Atlantic

States, Europe and West Indies; and it is also admitted that the countries west of the mountains and

below or to the southward of the junction of the Ohio with the Mississippi may import goods from New Orleans; and then it is absolutely necessary that the people of the western country, in some way or other, at a proper period, should be possessed of the free navigation of the Mississippi River. It does not, however, follow from hence that it will be for their interest to lose their connection with the Atlantic States; but the contrary will appear if we consider that all the beef, pork, and mutton (from a very great part of the western country) will come to the seaports of Virginia, Maryland, and Pennsylvania to market. Also, most of the furs and skins, etc., obtained by the Indian trade can be sent to those places and New York much more to the advantage of the West country people than they can be sent to New Orleans and Quebec. Besides, all the goods for carrying on the Indian trade, as well as supplying the inhabitants even to the Kentucky and Wabash countries, are at present imported into that country from Philadelphia, Baltimore, Alexandria, etc., much cheaper than they can be obtained from New Orleans or Quebec.

There is also not the least doubt but when the navigation of the Potomac is completed, with the carrying-place to the Monongahela, according to the plan of the undertakers, the transport of goods into the western country will be lowered fifty per cent; and should other communication be opened, which no doubt will be, between the Susquehanna and Alleghany rivers, James river and the Great Kanawha, the expense of

transportation will be reduced still lower. In short, from the seaports of the United States to Niagara, Detroit, and even of the Lake of the Woods, goods can be supplied much cheaper than from any other quarter.

From this statement of facts, which I presume can not be disproved, I conceive it fully appears to be the interest of the people of the Western country to remain a part of the United States. If it be said that they may be separated and yet retain all the advantages of trade here mentioned, I answer that it is possible, but by no means probable; for (admitting the separation was not hostile) it is by no means reasonable to suppose that the legislature of the United States would pay the same attention to the subjects of a foreign power as to their own. Nor is it to be presumed that those people will ever forget that while they remain a part of the Union, they will have their voice in the councils of the nation, and that no law can pass but what must affect their brethren on this side of the mountains, as well as themselves. To be deprived of a commerce with the United States would be greatly to the injury, if not the ruin, of that country; and to voluntarily deny themselves a voice in the regulation of that commerce, and trust themselves (without any check or control) in the hand of those whose interest would be distinct from their own, is a folly I trust they never will be guilty of.

But it may be said there are advantages to be gained which will overbalance all this loss. Pray let us attend



a little to this matter. Will they put themselves under the viceroy of Canada? What will be their gain here? A legislative council of the King's own appointment gives law to the province, except that the whole is under the control of a military governor. A few, by permission from Lord Dorchester, or somebody else, may carry goods into the Indian country, but returns must be made to Quebec. Surely, this government can never suit their genius, nor be for their interest. Nor is the advantage to be derived from the Spanish government much better. It is true that New Orleans will be a great mart for their produce, but it is very doubtful if they were Spanish subjects whether they would enjoy greater privileges than they might without. The inhabitants would certainly have no voice in the matter, but must be subject to the will of a despot. They could expect no indulgence but what should comport with the interest of the governor and Spanish Court; and this they may reasonably expect, even should they remain part of the United States, so that if the object be to unite them with Great Britain or Spain, I see nothing that is in the least degree worth their attention.

Perhaps the idea is that they should set up for a separate independent government. This maggot, I know, is in the heads of some people; therefore we will consider it a little and see if we can find it to be for their interest. For argument's sake, we will suppose the United States to consent to all this, we will suppose, moreover, that they grant a free trade to the

subjects of this new government, and then pray tell me what they will be the better for it? Nay, will they not be in a much worse situation? Will they not incur a great expense to support their new government beyond what their proportion to the old can possibly be? And can it then be for their interest to be separated?

It may be said that they want a free trade to New Orleans, and thence to the sea; that while they remain a part of the United States, this is not likely to be obtained; that the interest of the old States and theirs in this respect is inconsistent with each other; that the object is, first to separate themselves from the Union, and then to clear the river of the Spaniards. This, I have heard, is the language of some people in Kentucky; but is it rational? Will the measure be for their interest, and, if not for their interest, are we to suppose the measure will be pursued? Have these people considered that the United States are deeply interested in opposing such separation? Have they considered that driving the Spaniards out of the river will not give them a free trade to the sea? Do they know that the harbors of Pensacola and Havana are so situated that, a few cruisers from them sent into the Bay, not one vessel in a thousand going from or returning to the Mississippi would escape falling into their hands? No, Sir; so far would such a measure be from giving them a free trade to the sea, that it would put an end to their present market, and all reasonable prospects of a compensation for the loss. Nor

do I conceive that the interests of the Atlantic States and the Western country, as it respects the navigation of the Mississippi, by any means clash. For it is for the interest of the United States that flour, tobacco, potash, iron and lumber of all kinds, with ships ready built, should be sent to Europe and the West Indies by way of remittance for goods obtained from those countries. If hemp, flax, iron and many other raw materials be of any use to be brought into the Atlantic States for the purpose of manufacturing, then it is the interest of those States that the navigation of the Mississippi should be free.

. . . I do not deny but what such circumstances may exist as shall not only make it the wish of some, but of all, the inhabitants of that country to be separated from the old States, but what I contend for is, that these circumstances do not, nor even can (if I may be allowed the expression) exist naturally. I allow that, should Congress give up her claim to the navigation of the Mississippi or cede it to the Spaniards, I believe the people in the Western quarter would separate themselves from the United States very soon. Such a measure, I have no doubt, would excite so much rage and dissatisfaction that the people would sooner put themselves under the despotic government of Spain than remain the indented servants of Congress; or should Congress by any means fail to give the inhabitants of that country such protection as their present infant state requires, connected with the interest and dignity of the United States; in that

case such events may take place as will oblige the inhabitants of that country to put themselves under the protection of Great Britain or Spain. . . . But . . . we are not to suppose that Congress will do wrong when it is their interest to do right. . . .

. . . But there is another point of light in which we ought to consider this matter, for if we would know the real advantage that country must be to this, remaining united, we ought to consider what probable mischief will ensue by a division. Among these may be reckoned the loss of more than seventy-five million dollars in the sale of lands, an annual revenue of more than one hundred and sixty thousand dollars on European and West India goods, with all the advantages that can possibly arise from the peltry trade. And, what is a matter of serious consideration, it is more than probable (in case of a separation from the United States) that country would be divided between Great Britain and Spain, for I can see no reason to suppose they will maintain a separate existence. Then I suppose the western boundary of the United States must be the Alleghany Mountains. A miserable frontier this (and yet the best to be found if we give up the Western country) that will require more expense to guard than the protection of all the Western territory. The natural boundaries of the great lakes and the Mississippi River added to the inhabitants of the western quarter will give such strength and security to the old States, if properly attended to, as they must most sensibly feel the want of in case of a separation.

## THE DISCOVERY OF THE COLUMBIA RIVER

*By Edward G. Porter*

*THIS article, which was first printed in the New England Magazine, June, 1892, the Oregon centennial year, under the title of "The Ship Columbia and the Discovery of Oregon," is the best connected account of one of the most important events in American history. In the dispute of 1826 between Great Britain and the United States over Oregon, our first and most valid claim to a territory as extensive in area as the British Isles was based upon Gray's voyage up the Columbia River in 1792.*

*If the English explorer, George Vancouver, whom Gray met shortly before making the discovery, had anticipated him, it is impossible to say how the extension and growth of the United States would have been affected.*

*The famous ship, after which the river was named, was long ago taken to pieces, and her records have mostly disappeared. Many of the facts set forth here were gathered by the Rev. Mr. Porter from private sources, giving his account a high original value as well as interest.*

*represented by the flourishing young States of Oregon, Washington and Idaho. . . .*

**F**EW ships, if any, in our merchant marine, since the organization of the Republic, have acquired such distinction as the Columbia. By two noteworthy achievements a hundred years ago she attracted the attention of the commercial world, and rendered a service to the United States unparalleled in our history. She was the first American vessel to carry the stars and stripes around the globe; and, by her discovery of "the great river of the West," to which her name was given, she furnished us with the title to our possession of that magnificent domain, which to-day is repre-



The Columbia, a full-rigged ship, 83 feet long, measuring 212 tons, and mounted with 10 guns, commanded by Captain Robert Gray, left Boston on the 28th of September, 1790, calling only at the Falkland Islands, and arrived at Clayoquot June 4, 1791. Obedient to his instructions, the captain soon went on a cruise up the coast, passing along the east side of Washington's Islands (Queen Charlotte's) and exploring the numerous channels and harbors of that picturesque but lonely region. . . .

It was Captain Gray's intention to go into winter quarters at Naspatsee, in Bulfinch Sound, and he hastened that way; but, being thwarted by contrary winds, they put in at Clayoquot, and, finding excellent timber for the construction of the proposed sloop, he decided to remain there. The ship was made as snug as possible in a well-sheltered harbor, which they called Adventure Cove. . . .

Gray soon after took his ship on a cruise which was destined to be the most important of all,—one that will be remembered as long as the United States exist. On the 29th of April, 1792, he fell in with Vancouver, who had been sent out from England with three vessels of the Royal Navy as commissioner to execute the provisions of the Nootka Treaty, and to explore the coast. Vancouver said he had made no discoveries as yet, and inquired if Gray had made any. The Yankee captain replied that he had; that in latitude  $46^{\circ} 10'$  he had recently been off the mouth of a river which for nine days he tried to enter, but the

outset was so strong as to prevent. He was going to try it again, however. Vancouver said this must have been the opening passed by him two days before, which he thought might be "a small river," inaccessible on account of the breakers extending across it, the land behind not indicating it to be of any great extent. "Not considering this opening worthy of more attention," wrote Vancouver in his journal, "I continued our pursuit to the northwest." What a turn in the tide of events was that! Had the British navigator really seen the river, it would certainly have had another name and another history.

Gray continued his "pursuit" to the southeast, whither the star of his destiny was directing him. On the 7th of May he saw an entrance in latitude  $46^{\circ} 58'$  "which had a very good appearance of a harbor"; and, observing from the masthead a passage between the sand bars, he bore away and ran in. This he called Bulfinch Harbor, though it was very soon after called, as a deserved compliment to him, Gray's Harbor,—the name which it still bears. Here he was attacked by the natives, and obliged in self-defence to fire upon them with serious results.

On the evening of May 10 Gray resumed his course to the south; and at daybreak, on the 11th, he saw "the entrance of his desired port" a long way off. As he drew near about eight o'clock, he bore away with all sails set, and ran in between the breakers. To his great delight he found himself in a large river of fresh water, up which he steered ten miles. There were

Indian villages at intervals along the banks, and many canoes came out to inspect the strange visitor.

The ship came to anchor at one o'clock in ten fathoms of water, half a mile from the northern shore and two miles and a half from the southern, the river being three or four miles wide all the way along. Here they remained three days busily trading and taking in water.

On the 14th he stood up the river some fifteen miles farther, "and doubted not it was navigable upwards of a hundred." He found the channel on that side, however, so very narrow and crooked that the ship grounded on the sandy bottom; but they backed off without difficulty. The jolly-boat was sent out to sound the channel, but, finding it still shallow, Gray decided to return; and on the 15th he dropped down with the tide, going ashore with his clerk "to take a short view of the country."

On the 16th he anchored off the village of Chenook, whose population turned out in great numbers. The next day the ship was painted, and all hands were busily at work. On the 19th they landed near the mouth of the river, and formally named it, after the ship, the Columbia, raising the American flag and planting coins under a large pine-tree, thus taking possession in the name of the United States. The conspicuous headland was named Cape Hancock, and the low sandspit opposite, Point Adams.

The writer is well aware that the word "discovery" may be taken in different senses. When it is claimed

that Captain Gray discovered this river, the meaning is that he was the first white man to cross its bar and sail up its broad expanse, and give it a name. Undoubtedly, Carver—to whom the word "Oregon" is traced—may have heard of the river in 1767 from the Indians in the Rocky Mountains; and Heceta, in 1775, was near enough to its mouth to believe in its existence; and Meares, in 1788, named Cape Disappointment and Deception Bay. But none of these can be properly said to have discovered the river. Certainly, Meares, whose claim England maintained so long, showed by the very names he gave to the cape and the "bay" that he was, after all, deceived about it; and he gives no suggestion of the river on his map. D'Aguilar was credited with finding a great river as far back as 1603; but, according to his latitude, it was not this river; and, even if it was, there is no evidence that he entered it.

The honor of discovery must practically rest with Gray. His was the first ship to cleave its waters; his, the first chart ever made of its shores; his, the first landing ever effected there by a civilized man; and the name he gave it has been universally accepted. The flag which he there threw to the breeze was the first ensign of any nation that ever waved over those unexplored banks. And the ceremony of occupation, under such circumstances, was something more than a holiday pastime. It was a serious act, performed in sober earnest, and reported to the world as soon as possible.

And when we remember that as a result of this came the Lewis and Clark Expedition of 1804-5, and the settlement of Astoria in 1811,—to say nothing of our diplomatic acquisition of the old Spanish rights,—then we may safely say that the title of the United States to the Columbia River and its tributaries becomes incontestable. Such was the outcome of the “Oregon question” in 1846. . . .



## THE INVENTION OF THE COTTON GIN

By Horace Greeley

*THE* story of the cotton gin, as told in Greeley's "American Conflict," from which this extract is taken, is one of the most fascinating in the annals of industry. Historians and economists agree on the great importance of this invention which, curiously enough, left its inventor, Eli Whitney, a bankrupt. It affected not only the American cotton industry, but the commercial relations with Great Britain and the world at large, and influenced the extension of slavery. This invention made it possible for the Southern States to substitute machinery for hand labor and so increase their output of cotton tremendously.

Horace Greeley, like Whitney, was a native of New England and a son of poor but hardworking parents. He was also a great journalist, and therefore well qualified to write this sympathetic article about the father of the cotton gin, who was likewise the inventor of the Springfield rifle.

that trifling shipments from that port were likewise made in 1754 and 1757. In 1784, it is recorded that eight bags, shipped to England, were seized at the custom-house as fraudulently entered; "cotton not

**I**N THE British colonies now composing this country the experiment of cotton-planting was tried so early as 1621; and in 1666 the growth of the cotton-plant is on record. The cultivation slowly and fitfully expanded throughout the following century, extending northward to the eastern shore of Maryland and the southernmost point of New Jersey—where, however, the plant was grown more for ornament than use. It is stated that "seven bags of cotton-wool" were among the exports of Charleston, S. C., in 1748, and

being a production of the United States." The export of 1790, as returned, was eighty-one bags; and the entire cotton crop of the United States at that time was probably less than the product of some single plantation in our day.

For, though the plant grew luxuriantly and produced abundantly throughout tidewater Virginia and all that portion of our country lying southward and southwestward of Richmond, yet the enormous labor required to separate the seed from the tiny handful of fibers wherein it was imbedded, precluded its extensive and profitable cultivation. It was calculated that the perfect separation of one pound of fiber from the seed was an average day's work; and this fact presented a formidable barrier to the production of the staple in any but a region like India, where labor can be hired for a price below the cost of subsisting slaves, however wretchedly, in this country. It seemed that the limit of American cotton cultivation had been fully reached, when an event occurred which speedily revolutionized the industry of our slave-holding States and the commerce and manufacture of the world.

Eli Whitney, a native of Westborough, Worcester County, Massachusetts, born December 8, 1765, was descended on both sides from ancestors of English stock, who dated their migration from the old country nearly back to the memorable voyage of the *Mayflower*. They were generally farmers, and, like most farmers of those days, in very moderate circumstances. Eli's father, poor, industrious and ingen-

ious, had a workshop wherein he devoted the inclement season to the making of wheels and of chairs. Here the son early developed a remarkable ingenuity and mechanical skill; establishing, when only fifteen years of age, the manufacture by hand of wrought nails, for which there was, in those later years of our Revolutionary struggle, a demand at high prices. Though he had had no instruction in nail-making, and his few implements were of the rudest description, he pursued the business through two winters with profit to his father, devoting the summers to the farm.

After the close of the war, his nails being no longer in demand, he engaged in the manufacture of the pins then in fashion for fastening ladies' bonnets, and nearly monopolized the market through the excellence of his product. Walking canes also were among his winter manufactures, and were esteemed peculiarly well made and handsome. Meantime, he continued the devotion of his summers to the labors of the farm, attending the common school of his district through its winter session, and being therein noted for devotion to, and eminent skill in, arithmetic. At fourteen, he was looked upon by his neighbors as a very remarkable, energetic, and intelligent youth. At nineteen, he resolved to obtain a liberal education; but it was not until he had reached the mature age of twenty-three that he was enabled to enter college. By turns laboring with his hands and teaching school, he obtained the means of prosecuting his studies in Yale, which he entered in May, 1789. He borrowed some

money to aid him in his progress, giving his note therefore, and paying it so soon as he could. On the decease of his father, some years afterward, he took an active part in settling the estate, but relinquished his portion to his coheirs. It is scarcely probable that the amount he thus sacrificed was large, but the generous spirit he evinced is not thereby obscured.

While in college, his natural superiority in mechanism and proclivity to invention were frequently manifested. On one occasion a tutor regretted to his pupils that he could not exhibit a desired philosophical experiment, because the apparatus was out of order, and could only be repaired in Europe. Young Whitney thereupon proposed to undertake the repair, and made it to perfect satisfaction. At another time, he asked permission to use at intervals the tools of a carpenter who worked near his boarding-place; but the careful mechanic declined to trust them in the hands of a student, unless the gentleman with whom Mr. Whitney boarded would become responsible for their safe return. The guarantee was given, and Mr. Whitney took the tools in hand; when the carpenter, surprised at his dexterity, exclaimed: "There was one good mechanic spoiled when you went to college."

Mr. Whitney graduated in the fall of 1792, and directly engaged with a Mr. B., from Georgia, to proceed to that State and reside in his employer's family as a private teacher. On his way thither, he had as a traveling companion, Mrs. Greene, widow of the eminent Revolutionary general, Nathaniel Greene, who

was returning with her children to Savannah, after spending the summer at the North. His health being infirm on his arrival at Savannah, Mrs. Greene kindly invited him to the hospitalities of her residence until he should become fully restored. Short of money and in a land of strangers, he was now coolly informed by his employer that his services were not required, he (B.) having employed another teacher in his stead! Mrs. Greene hereupon urged him to make her house his home so long as that should be desirable, and pursue under her roof the study of the law, which he then contemplated. He gratefully accepted the offer, and commenced the study accordingly.

Mrs. Greene happened to be engaged in embroidering on a peculiar frame known as a tambour. It was badly constructed, so that it injured the fabric while it impeded its production. Mr. Whitney eagerly volunteered to make her a better, and did so on a plan wholly new, to her great delight and that of her children.

A large party of Georgians, from Augusta and the plantations above, soon after paid Mrs. Greene a visit, several of them being officers who had served under her husband in the Revolutionary War. Among the topics discussed by them around her fireside was the depressed state of agriculture, and the impossibility of profitably extending the culture of the green-seed cotton, because of the trouble and expense incurred in separating the seed from the fiber. These representations impelled Mrs. Greene to say: "Gentlemen, apply



to my young friend, Mr. Whitney—he can make anything.” She thereupon took them into an adjacent room, where she showed them her tambour-frame and several ingenious toys which Mr. Whitney had made for the gratification of her children. She then introduced them to Whitney himself, extolling his genius and commending him to their confidence and friendship. In the conversation which ensued, he observed that he had never seen cotton nor cotton-seed in his life.

Mr. Whitney promised nothing and gave little encouragement, but went to work. No cotton in the seed being at hand, he went to Savannah and searched there among warehouses and boats until he found a small parcel. This he carried home and secluded with himself in a basement room, where he set himself at work to devise and construct the implement required. Tools being few and rude, he was constrained to make better—drawing his own wire, because none could, at that time, be bought in the city of Savannah. Mrs. Greene and her next friend, Mr. Miller, whom she soon after married, were the only persons beside himself who were allowed the entrée of his workshop—in fact, the only ones who clearly knew what he was about. His mysterious hammering and tinkering in that solitary cell were subjects of infinite curiosity, marvel, and ridicule among the younger members of the family. But he did not interfere with their merri-ment, nor allow them to interfere with his enterprise; and, before the close of the winter, his machine was

so nearly perfected that its success was no longer doubtful.

Mrs. Greene, too eager to realize and enjoy her friend's triumph, in view of the existing stagnation of Georgian industry, invited an assemblage at her house of leading gentlemen from various parts of the State, and, on the first day after their meeting conducted them to a temporary building erected for the machine, in which they saw, with astonishment and delight, that one man with Whitney's invention could separate more cotton from the seed in a single day than he could without it by the labor of months.

Mr. Phineas Miller, a native of Connecticut, and a graduate of Yale, who had come to Georgia as the teacher of General Greene's children, and who, about this time, became the husband of his widow, now proposed a partnership with Mr. Whitney, by which he engaged to furnish funds to perfect the invention, secure the requisite patents, and manufacture the needed machines; the partners to share equally all profits and emoluments thence resulting. Their contract bears date May 27, 1793; and the firm of Miller & Whitney immediately commenced what they had good reason to expect would prove a most extensive and highly lucrative business. Mr. Whitney thereupon repaired to Connecticut, there to perfect his invention, secure his patent, and manufacture machines for the Southern market.

But his just and sanguine hopes were destined to signal and bitter disappointment. His invention was

too valuable to be peacefully enjoyed; or, rather, it was the seeming and urgent interest of too many to rob him of the just reward of his achievement. . . . Reports of the nature and value of his invention were widely and rapidly circulated, creating intense excitement. Multitudes hastened from all quarters to see his original machine; but, no patent having yet been secured, it was deemed unsafe to gratify their curiosity; so they broke open the building by night, and carried off the wonderful prize. Before he could complete his model and secure his patent, a number of imitations had been made and set to work, deviating in some respects from the original, in the hope of thus evading all penalty. . . .

Messrs. Miller and Whitney's plan of operations was essentially vicious. They proposed to construct and retain the ownership of all the machines that might be needed, setting one up in each cotton-growing neighborhood, and ginning all the staple for every third pound of the product. Even at this rate the invention would have been one of enormous benefit to the planters—cotton being then worth from twenty-five to thirty-three cents per pound. But no single manufacturer could turn out the gins so fast as wanted, and planters who might readily have consented to the terms of the patentees, had the machines been furnished so fast as required, could hardly be expected to acquiesce so readily in the necessity of doing without machines altogether because the patentees could not, though the others could, supply

them. And then the manufacture of machines, to be constructed and worked by the patentees alone, involved a very large outlay of money, which must mainly be obtained by borrowing. Miller's means being soon exhausted, their first loan of two thousand dollars was made on the comparatively favorable condition of five per cent. premium, in addition to lawful interest.

But they were soon borrowing at twenty per cent. per month. Then there was sickness; Mr. Whitney having a severe and tedious attack in 1794; after which the scarlet fever raged in New Haven, disabling many of his workmen; and soon the lawsuits, into which they were driven in defense of their patent, began to devour all the money they could make or borrow. In 1795 Whitney had another attack of sickness; and, on his return to New Haven, from three weeks of suffering in New York, learned that his manufactory, with all his machines and papers, had just been consumed by fire, whereby he found himself suddenly reduced to utter bankruptcy. Next came a report from England that the British manufacturers condemned and rejected the cotton cleaned by his machines, on the ground that the staple was greatly injured by the ginning process! And now no one would touch the ginned cotton; and blockheads were found to insist that the roller-gin—a preposterous rival to Whitney's whereby the seed was crushed in the fiber, instead of being separated from it—was actually a better machine than Whitney's! In the depths

of their distress and insolvency, Miller wrote (April 7, 1796) from Georgia to Whitney, urging him to hasten to London, there to counteract the prejudice against ginned cotton.

Miller & Whitney's first suit against infringers now came to trial, before a Georgia jury; and, in spite of the judge's charge directly in the plaintiff's favor, a verdict was given for the defendant—a verdict from which there was no appeal. When the second suit was ready for trial at Savannah, no judge appeared, and, of course, no court was held. Meantime, the South fairly swarmed with pirates on the invention, of all kinds and degrees. . . .

Finally, in 1801, an agent wrote to his principals that, though the planters of South Carolina would not pay their notes, many of them suggested a purchase of the right of the patentees for that State by its Legislature; and he urged Mr. Whitney to come to Columbia, and try to make an arrangement on this basis. Whitney did so, taking some letters and testimonials from the new President, Jefferson, and his Secretary of State, Madison, which were doubtless of service to him in his negotiations. His memorial having been duly submitted to the Legislature, proposing to sell the patent right for South Carolina for one hundred thousand dollars, the Legislature debated it, and finally offered for it fifty thousand—twenty thousand down, and ten thousand per annum for three years. . . .



The next Legislature of South Carolina nullified the contract, suspended payment on the thirty thousand still due, and instituted a suit for the recovery of the twenty thousand that had been already paid!

North Carolina, to her honor be it recorded, in December, 1803, negotiated an arrangement with Mr. Whitney, whereby the Legislature laid a tax of two shillings and sixpence upon every saw employed in ginning cotton, to be continued for five years, which sum was to be collected by the sheriffs in the same manner as the public taxes; and, after deducting the expenses of collection, the avails were faithfully paid over to the patentee. The old North State was not extensively engaged in cotton-growing, and the pecuniary avails of this action were probably not large; but the arrangement seems to have been a fair one, and it was never repudiated. South Carolina, it should in justice be said, through her Legislature of 1804, receded from her repudiation, and fulfilled her original contract.

Mr. Miller, the partner of Whitney, died, poor and embarrassed, on the 7th of December, 1803. At the term of the United States District Court for Georgia, held at Savannah in December, 1807, Mr. Whitney obtained a verdict against the pirates on his invention; his patent being now in the last year of its existence. . . .

Mr. Whitney's patent expired in 1808, leaving him a poorer man, doubtless, than though he had never listened to the suggestions of his friend Mrs. Greene,

and undertaken the invention of a machine, by means of which the annual production of cotton in the Southern States has been augmented by from some five or ten thousand bales in 1793 to over five millions of bales, or one million tons, in 1859; this amount being at least three-fourths in weight, and seven-eighths in value, of all the cotton produced on the globe. To say that this invention was worth one thousand millions of dollars to the Slave States of this country is to place a very moderate estimate on its value. Mr. Whitney petitioned Congress, in 1812, for a renewal of his patent, setting forth the costly and embarrassing struggles he had been forced to make in defense of his right, and observing that he had been unable to obtain any decision on the merits of his claim until he had been eleven years in the law, and until thirteen of the fourteen years' lifetime of his patent had expired. But the immense value of his invention stood directly in the way of any such acknowledgment of its merits and his righteous claims as the renewal he sought would have involved. Some liberal members from the cotton-growing region favored his petition, but a majority of the Southerners fiercely opposed it, and it was lost. . . .

In 1798, Mr. Whitney, despairing of ever achieving a competence from the proceeds of his cotton-gin, engaged in the manufacture of arms, near New Haven; and his rare capacity for this or any similar undertaking, joined with his invincible perseverance and energy, was finally rewarded with success. He

was a most indefatigable worker; one of the first in his manufactory in the morning, and the last to leave it at night; able to make any implement or machine he required, or to invent a new one when that might be needed; and he ultimately achieved a competency. He made great improvements in the manufacture of firearms—improvements that have since been continued and perfected, until the American rifled musket of our day, made at the National Armory in Springfield, Massachusetts, is doubtless the most effective and perfect weapon known to mankind. In 1817, Mr. Whitney, now fifty-two years old, found himself fully relieved from pecuniary embarrassments and the harassing anxieties resulting therefrom. He was now married to Miss Henrietta F. Edwards, daughter of the Honorable Pierpont Edwards, United States District Judge for Connecticut; and four children, a son and three daughters, were born to him in the next five years. In September, 1822, he was attacked by a dangerous and painful disease, which, with alternations of terrible suffering and comparative ease, preyed upon him until January 8, 1826, when he died, not quite sixty years of age.

## ANTHONY WAYNE ROUTS THE OHIO INDIANS

*By Richard Hildreth*

**HILDRETH**, who was born in 1807, thirteen years after General "Mad Anthony" Wayne solved the Ohio frontier Indian problem by winning the Battle of Fallen Timber, is best remembered for his "History of the United States," from which this article is taken. In it he presents the founders of the Republic in their true character, without trying to heighten their virtues or disguise their faults.

Wayne, the hero of Stony Point, became Commander-in-Chief of the army in 1792, and began his Ohio campaign in the Fall of the following year. His decisive defeat of the Indians occurred in August, 1794, and shortly thereafter Wayne, with twelve of the Northwestern tribes, signed the Treaty of Greenville in which the United States acquired a large tract of territory.

Fort Wayne, Indiana, was originally built and garrisoned by this Revolutionary veteran, who died in 1796 while carrying out the terms of his peace negotiations with the Indians.

the entrance of the River Detroit, where they were met by a deputation from a preliminary council of the confederate Indians, then in session at the Mau-

**A**FFAIRS on the Indian frontier still continued in an unsettled state. The commissioners appointed to negotiate with the hostile Northwestern tribes, accompanied by the missionary Heckewelder and by a deputation of Quakers, as the Indians had desired, on arriving at Fort Niagara, had been kindly received by Colonel Simcoe, commander, during the Revolutionary War, of a famous partisan corps in the British army, and just appointed governor of the newly erected province of Upper Canada. Embarking at Fort Erie, they landed presently at

mee Rapids. These deputies desired to know if "their brothers the Bostonians," for so they designated the commissioners, were empowered to consent to the Ohio as a boundary. The commissioners replied that this was impossible, as settlements had been commenced north of the Ohio, which could not be abandoned; but they offered, if the Indians would confirm the limits established by the treaties of Forts McIntosh and Harmer, a larger present, in money and goods, than ever had been given at any one time since the white men set foot in the country.

They were authorized, in fact, to offer \$50,000 down, and, in addition, annual presents forever to the amount of \$10,000 a year. This answer of the commissioners having been reported to the Indian council, the question of accepting it was debated with a great deal of vehemence. The result was expressed in a written document sent to the commissioners, in which it was contended that the treaties of Forts McIntosh and Harmer, having been made by a few unauthorized chiefs, could not be considered as valid. As to confirming those treaties for money, that was of no value to them, while the land would afford means of subsistence to themselves and their children. This same money might better be employed in persuading the settlers north of the Ohio to remove. Since it was refused to concede the Ohio as a boundary, the negotiation was declared to be at an end.



The commissioners, much chagrined at this abrupt termination of their mission, without their having been admitted into the presence of the Indian council, ascribed the result to British influence. Very probably the inclination of the Indians was seconded by the advice of the Canadian traders and the British agents. Simcoe, however, had expressly denied having advised the Indians not to surrender any of their lands. He had also offered to act as mediator, but this offer the instructions of the commissioners would not allow them to accept.

Pending this negotiation, Wayne's troops had remained encamped in the vicinity of Cincinnati, where they suffered not a little from an epidemic influenza. Apprehending that the failure of the negotiation would be followed by an immediate attack upon the frontiers, Wayne marched with his army, and, leaving garrisons behind him at the intermediate posts, established himself, with twenty-six hundred regulars, in a fortified camp at Greenville, six miles in advance of Fort Jefferson. Here he was promptly joined by a thousand Kentucky volunteers, under General Scott, raised by dint of great exertions, but who arrived too late to be of any essential aid. These volunteers were soon dismissed; but, to serve as a protection to the frontier, and to be ready for ulterior operations in the spring, the army remained encamped at Greenville during the winter. As all the supplies had to be carried some seventy miles through the woods on pack-horses, the support of the troops in

that position was an expensive affair. A part of the legionary cavalry, stationed for the winter in Kentucky, was placed at the disposal of Governor Shelby, for the suppression of any attempts, should such be made, to raise men, under French commissions, for an expedition against Louisiana—a subject as to which information and orders had been sent to General Wayne and Governor St. Clair, as well as to Governor Shelby. . . .

Wayne had commenced operations early in the summer by pushing forward a strong detachment from his camp at Greenville to occupy St. Clair's battlefield, twenty-four miles in advance. Fort Recovery, built upon this spot, was presently attacked by a large body of Indians, who were repulsed, however, after a two days' fight. But the Indians were not entirely unsuccessful, since they carried off three hundred pack-mules, and inflicted a loss of fifty men upon an escort of three times that number, which had just guarded a provision train to the fort, and lay encamped outside. Meanwhile, General Scott was employed in Kentucky in raising a body of mounted militia to reënforce Wayne's legion, which, garrisons deducted, did not much exceed two thousand effective men. Upon Scott's arrival with eleven hundred of these volunteers, Wayne advanced to the confluence of the Au Glaize and the Maumee. The Indians had expected the advance in another direction. Taken by surprise, they fled precipitately, and this "grand

emporium" of the hostile tribes, as Wayne styled it, was gained without loss.

Here were fields of corn, planted by the Indians, more extensive than any which Wayne had ever seen. The fertile margins of these beautiful rivers, for several miles above and below their junction, appeared one continued village. For the permanent occupation of this important district, a strong stockade was built, called Fort Defiance, and another, called Fort Adams, on the St. Mary's, as an intermediate post, to connect it with Fort Recovery. The main body of the Indians had retired down the Maumee about thirty miles, to the foot of the rapids, where the British had recently built a new fort. Wayne sent a messenger proposing to treat, to which the Indians replied by asking delay for ten days. On receiving this answer the army was at once put in motion.

Two days they marched down the Maumee; a third was spent in reconnoitering the enemy, who were found encamped in a bushy wood, their left protected by the rocky bank of the river. The position of the Indians having been ascertained, the advance was resumed in the same order as before, the right flank of the legion leaning on the river, one battalion of the mounted volunteers on the left, another in the rear, and a strong detachment in front, to give notice when the enemy were found. As soon as the Indian fire was heard, the legion was formed in two lines, in the midst of a thick wood, the ground being covered with old fallen timber, [the Battle of Fallen Timber]

prostrated in some tornado, a position very favorable to the enemy, since the mounted volunteers could hardly act. The Indians were in three lines, extending from the river at right angles within supporting distance of each other. They seemed, from the weight of their fire, to be endeavoring to turn the left flank of the legion, whereupon Wayne ordered the second line into position on the left of the first. He also directed the mounted volunteers to attempt to gain the enemy's rear by a circuitous route, and Captain Campbell, with the legionary cavalry, to push in between the Indians and the river, the ground there being somewhat more open. Orders, simultaneously given, for the first line to start the enemy from his covert at the point of the bayonet, were obeyed with such alacrity that, before the other troops could get into position the Indians were completely routed.

Wayne lost a hundred and seven men in killed and wounded. Neither the loss nor the number of the Indians was ever ascertained. The Indian cornfields were ravaged close up to the British fort, and the establishment of McKee, the British Indian agent, was burned with the rest. It was the universal opinion in the army that the British had encouraged the Indians to fight. It was even believed that some of the militia from Detroit had been in the action; but that was utterly improbable. Some very tart correspondence passed between Wayne and the commander of the British fort, to whom a deserter had reported that Wayne intended to attack him, for which, indeed, the

army was sufficiently ready had a good excuse and opportunity occurred.

Three days after the battle, Wayne fell back to Fort Defiance. The defenses were completed, intermediate posts were established, garrisons were left in Fort Defiance and Fort Recovery, and, after a very successful campaign of ninety days, during which he had marched three hundred miles along a road cut by the army, had gained a victory, driven the Indians from their principal settlement, destroyed their winter's provisions, and left a post in the heart of their country, Wayne returned with the legion into winter quarters at Greenville. The mounted volunteers, who had suffered severely from sickness, had been dismissed some time before.



## THE X Y Z CORRESPONDENCE

*By Commissioners Pinckney, Marshall and Gerry*

*THESE* dispatches were sent to the United States Government by C. C. Pinckney, John Marshall and Elbridge Gerry, who were in Paris in October 1797 as special envoys to the French Republic, between which and the United States strained relations prevailed. Talleyrand, the French Foreign Minister, refused to receive them, but through secret agents ("X", "Y" and "Z") made an unofficial demand for bribes as a necessary preliminary to any settlement.

*As a result of these dispatches, war with France was declared in 1798. The American grievance was the illegal capture of our merchantmen; the French grievance was that commercial privileges had been allowed to England.*

ALL of us having arrived at Paris on the evening of the 4th instant, on the next day we verbally, and unofficially, informed the Minister of Foreign Affairs therewith, and desired to know when he would be at leisure to receive one of our secretaries with the official notification. He appointed the next day at two o'clock, when Major Rutledge waited on him . . .

In the evening . . . M. X. called on General Pinckney, and after having sat some time, . . . whispered him that he had a message from M. Talleyrand to communicate when he was at leisure. . . . General Pinckney said he should be glad to hear it. M. X. replied that the Directory, and particularly two of the members of it, were exceedingly irritated at some passages of the President's speech, and desired that they should be softened; and that this step would be necessary pre-

vious to our reception. That, besides this, a sum of money was required for the pocket of the Directory and ministers, which would be at the disposal of M. Talleyrand; and that a loan would also be insisted on. M. X. said if we acceded to these measures, M. Talleyrand had no doubt that all our differences with France might be accommodated. . . .

October the 21st, M. X. came before nine o'clock; M. Y. did not come until ten: he had passed the morning with M. Talleyrand. After breakfast the subject was immediately resumed. . . . He [M. Y.] said . . . that if we desired him to point out the sum which he believed would be satisfactory [to the Directory], he would do so. We requested him to proceed; and he said that there were thirty-two millions of florins, of Dutch inscriptions, worth ten shillings in the pound, which might be assigned to us at twenty shillings in the pound; and he proceeded to state to us the certainty that, after a peace, the Dutch Government would repay us the money; so that we should ultimately lose nothing, and the only operation of the measure would be, an advance from us to France of thirty-two millions, on the credit of the Government of Holland. We asked him whether the fifty thousand pounds sterling, as a *douceur* to the Directory, must be in addition to this sum. He answered in the affirmative. . . .

We committed immediately to writing the answer we proposed, in the following words: "Our powers respecting a treaty are ample; but the proposition of a

loan, in the form of Dutch inscriptions, or in any other form, is not within the limits of our instructions; upon this point, therefore, the Government must be consulted; one of the American ministers will, for the purpose, forthwith embark for America; provided the Directory will suspend all further captures on American vessels, and will suspend proceedings on those already captured, as well where they have been already condemned, as where the decisions have not yet been rendered; and that where sales have been made, but the money not yet received by the captors, it shall not be paid until the preliminary questions, proposed to the ministers of the United States, be discussed and decided:" which was read as a verbal answer; and we told them they might copy it if they pleased. M. Y. refused to do so; his disappointment was apparent; he said we treated the money part of the proposition as if it had proceeded from the Directory; whereas, in fact, it did not proceed even from the minister, but was only a suggestion from himself, as a substitute to be proposed by us, in order to avoid the painful acknowledgment that the Directory had determined to demand of us. It was told him that we understood that matter perfectly; that we knew the proposition was in form to be ours; but that it came substantially from the minister. We asked what had led to our present conversation? And General Pinckney then repeated the first communication from M. X. . . .

**A**BOUT twelve we received another visit from M. X. . . . He mentioned the change in the state of things which had been produced by the peace with the emperor, as warranting an expectation of a change in our system; to which we only replied, that this event had been expected by us, and would not, in any degree, affect our conduct. M. X. urged, that the Directory had, since this peace, taken a higher and more decided tone with respect to us, and all other neutral nations, than had been before taken; that it had been determined, that all nations should aid them, or be considered and treated as their enemies. We answered, that such an effect had already been contemplated by us, as probable, and had not been overlooked when we gave to this proposition our decided answer; and further, that we had no powers to negotiate for a loan of money; that our Government had not contemplated such a circumstance in any degree whatever; that if we should stipulate a loan, it would be a perfectly void thing, and would only deceive France, and expose ourselves. M. X. again expatiated on the power and violence of France: he urged the danger of our situation, and pressed the policy of softening them, and of thereby obtaining time. The present men, he said, would very probably not continue long in power, and it would be very unfortunate if those who might succeed, with better dispositions towards us, should find the two nations in actual war. We answered, that if war should be made on us by France, it would be so obviously forced on us, that,

on a change of men, peace might be made with as much facility as the present differences could be accommodated. We added, that all America deprecated a war with France; but that our present situation was more ruinous to us than a declared war could be; that at present our commerce was plundered unprotected; but that if war was declared, we should seek the means of protection. M. X. said, he hoped we should not form a connection with Britain; and we answered, that we hoped so too; that we had all been engaged in our Revolutionary war, and felt its injuries; that it had made the deepest impression on us; but that if France should attack us, we must seek the best means of self-defense. M. X. again returned to the subject of money: Said he, gentlemen, you do not speak to the point; it is money: it is expected that you will offer money. We said that we had spoken to that point very explicitly: we had given an answer. No, said he, you have not: what is your answer? We replied, it is no; no; not a sixpence. . . .



## WASHINGTON'S FAREWELL ADDRESS

*THE Farewell Address is here printed as given by Jared Sparks, the Colonial historian, from "Claypoole's American Daily Advertiser" for September 19, 1796. The copy from which the final draft was printed was given by Washington himself to the printer, Claypoole, who permitted Sparks to examine and verify it as being wholly in Washington's handwriting. It bore the marks of rigid and laborious revision. "In its final shape," says Sparks, "the Address is much indebted for its language and style to the careful revision of Hamilton . . . whose aid, however, was not such, in my opinion, as to detract from the substantial merit of Washington, or to divest him of a fair claim to its authorship."*

*In this Address Washington issued his memorable warning with regard to the United States forming entangling alliances with foreign powers—one of many sentiments expressed in it that were passionately felt and voiced by Washington.*

THE period for a new election of a citizen, to administer the executive government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that,

in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice, that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty, or propriety; and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions, with which I first undertook the arduous trust, were explained on the proper occasion.

In the discharge of this trust I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. Satisfied that, if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment, which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead, amid appear-

ances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts, and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can

only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government, which constitutes you one people, is also now dear to you. It is justly so: for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad; of your safety; of your prosperity; of that very liberty, which you so highly prize. But it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in



any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you, in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels, and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting

by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and, what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in Union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionately greater security from external

danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from Union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to Union affecting all parts of our country, while ex-

perience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations, Northern and Southern, Atlantic and Western; whence designing men may endeavor to excite a belief, that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head; they have seen, in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic States unfriendly to their interests in regard to the Mississippi; they have been witnesses to the formation of two treaties, that with Great Britain, and that with Spain, which secure to them every-

thing they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions, which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their Constitutions of government. But the Constitution which at any time



exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force; to put, in the place of the delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common counsels, and modified by mutual interests.

However combinations or associations of the above descriptions may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government, and

the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations, which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that, for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name where the government is too feeble to withstand the enterprise of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of par-

ties in the State, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but, in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another, foment occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres, avoid-

ing in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for, though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit, which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props



of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote, then, as an object of primary importance institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for

danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should coöperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment, inseparable from the selection of the proper objects (which is always a choice of difficulties), ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt,

that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachments for others, should be excluded; and that, in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility in-

stigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained; and by exciting jealousy, ill-will and a disposition to retaliate, in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted or deluded citizens, (who devote themselves to the favorite nation,) facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding, with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base of foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with

domestic factions, to practise the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens,) the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connections as possible. So far as we have already formed engagements let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests which to us have none, or a very remote relation. Hence she



must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality, we may at any time revolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, there-

fore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that, by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from

nation to nation. It is an illusion, which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course, which has hitherto marked the destiny of nations. But, if I may even flatter myself, that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relating to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors.

Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government, the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.



## WASHINGTON AS A HOST AT MOUNT VERNON

By John Bernard

BERNARD, from whose "Retrospections of America, 1797-1811" (Harper and Brothers), this article is taken, was a brilliant English actor-manager who came to America in 1797, the year before he met Washington under the circumstances recounted. He was engaged by Wignell, the Philadelphia manager, at £1,000 a year, then a tremendous salary. It was in Philadelphia, where he played not only comedy parts but various Shakespearean rôles, that Washington had seen Bernard on the stage and thus was able to recognize the actor in their chance encounter on a Virginia road.

Bernard was a close observer of men and manners. Much of his autobiography dealing with America was lost in manuscript. Of that which has been preserved, the account of his informal visit to Mount Vernon and impressions of Washington is most interesting.

accelerated pace. The beast showed singular indifference until a lash, directed with more skill than humanity, took the skin from an old wound. The sudden pang threw the poor animal on his hind-legs, and the wheel swerving upon the bank, over went the chaise,

A FEW weeks after my location at Annapolis I met with a most pleasing adventure, no less than an encounter with General Washington, under circumstances which most fully confirmed the impression I had formed of him. I had been to pay a visit to an acquaintance on the banks of the Potomac, a few miles below Alexandria, and was returning on horseback, in the rear of an old-fashioned chaise, the driver of which was strenuously urging his steed to an

flinging out upon the road a young woman who had been its occupant.

The minute before I had perceived a horseman approaching at a gentle trot, who now broke into a gallop, and we reached the scene of the disaster together. The female was our first care. She was insensible, but had sustained no material injury. My companion supported her, while I brought some water in the crown of my hat, from a spring some way off. The driver of the chaise had landed on his legs, and, having ascertained that his spouse was not dead, seemed very well satisfied with the care she was in, and set about extricating his horse. A gush of tears announced the lady's return to sensibility, and then, as her eyes opened, her tongue gradually resumed its office, and assured us that she retained at least one faculty in perfection, as she poured forth a volley of invectives on her mate. The horse was now on his legs, but the vehicle still prostrate, heavy in its frame, and laden with at least half a ton of luggage. My fellow-helper set me an example of activity in relieving it of the external weight; and, when all was clear, we grasped the wheel between us and, to the peril of our spinal columns, righted the conveyance. The horse was then put in, and we lent a hand to help up the luggage. All this helping, hauling, and lifting occupied at least half an hour, under a meridian sun in the middle of July, which fairly boiled the perspiration out of our foreheads.

Our unfortunate friend somewhat relieved the task with his narrative. He was a New Englander who had emigrated to the South when young, there picked up a wife and some money, and was now on his way home, having, he told us, been "made very comfortable" by the death of his father; and when all was right, and we had assisted the lady to resume her seat, he begged us to proceed with him to Alexandria, and take a drop of "something sociable." Finding, however, that we were unsociable, he extended his hand (no distant likeness of a seal's fin), gripped ours as he had done the heavy boxes, and, when we had sufficiently felt that he was grateful, drove on. My companion, after an exclamation at the heat, offered very courteously to dust my coat, a favor the return of which enabled me to take a deliberate survey of his person. He was a tall, erect, well-made man, evidently advanced in years, but who appeared to have retained all the vigor and elasticity resulting from a life of temperance and exercise. His dress was a blue coat buttoned to the chin, and buckskin breeches. Though, the instant he took off his hat, I could not avoid the recognition of familiar lineaments—which, indeed, I was in the habit of seeing on every sign-post and over every fireplace—still I failed to identify him, and, to my surprise, I found that I was an object of equal speculation in his eyes. A smile at length lighted them up, and he exclaimed, "Mr. Bernard, I believe?" I bowed. "I had the pleasure of seeing you perform last winter in Philadelphia." I bowed

again, and he added, "I have heard of you since from several of my friends at Annapolis. You are acquainted with Mr. Carroll?" I replied that that gentleman's society had made amends for much that I had lost in quitting England.

He then learned the cause of my presence in the neighborhood, and remarked, "You must be fatigued. If you will ride up to my house, which is not a mile distant, you can prevent any ill-effects from this exertion, by a couple of hours' rest." I looked round for his dwelling, and he pointed to a building which, the day before, I had spent an hour in contemplating.

"Mount Vernon!" I exclaimed; and then, drawing back, with a stare of wonder, "have I the honor of addressing General Washington?" With a smile, whose expression of benevolence I have rarely seen equalled, he offered his hand and replied, "An odd sort of introduction, Mr. Bernard; but I am pleased to find you can play so active a part in private, and without a prompter." He then pointed to our horses (which had stood like statues all this time, as though in sympathy with their fallen brother), and shrugged his shoulders at the inn. I needed no further stimulus to accept his friendly invitation. As we rode up to his house we entered freely into conversation, first, in reference to his friends at Annapolis, then respecting my own success in America and the impressions I had received of the country.

Flattering as such inquiries were from such a source, I must confess my own reflections on what

had just passed were more absorbing. Considering that nine ordinary country gentlemen out of ten, who had seen a chaise upset near their estate, would have thought it savored neither of pride nor ill-nature to ride home and send their servants to its assistance, I could not but think that I had witnessed one of the strongest evidences of a great man's claim to his reputation—the prompt, impulsive working of a heart which having made the good of mankind—not conventional forms—its religion, was never so happy as in practically displaying it. On reaching the house (which, in its compact simplicity and commanding elevation, was no bad emblem of its owner's mind), we found that Mrs. Washington was indisposed; but the general ordered refreshments in a parlor whose windows took a noble range of the Potomac, and, after a few minutes' absence, rejoined me.

Though I have ventured to offer some remarks on his less-known contemporaries, I feel it would be impertinence to say a word on the public merits of a man whose character has been burning as a beacon to Europe till its qualities are as well known as the names and dates of his triumphs. My retrospect of him is purely a social one, and much do I regret, for the interest of these pages, that it is confined to a single interview. The general impression I received from his appearance fully corresponded with the description of him by the Marquis de Chastelleux, who visited America at the close of the war.



"The great characteristic of Washington," says he, "is the perfect union which seems to subsist between his moral and physical qualities; so that the selection of one would enable you to judge of all the rest. If you are presented with medals of Trajan or Cæsar, the features will lead you to inquire the proportions of their persons; but if you should discover in a heap of ruins the leg or arm of an antique Apollo, you would not be curious about the other parts, but content yourself with the assurance that they were all conformable to those of a god." Though fourteen years had elapsed since this was written, I could perceive that it was far from being the language of mere enthusiasm. Whether you surveyed his face, open yet well-defined, dignified but not arrogant, thoughtful but benign; his frame, towering and muscular, but alert from its good proportion—every feature suggested a resemblance to the spirit it encased, and showed simplicity in alliance with the sublime. The impression, therefore, was that of a most perfect whole; and though the effect of proportion is said to be to reduce the idea of magnitude, you could not but think you looked upon a wonder, and something sacred as well as wonderful—a man fashioned by the hand of Heaven, with every requisite to achieve a great work. Thus a feeling of awe and veneration stole over you.

In conversation his face had not much variety of expression: a look of thoughtfulness was given by the compression of the mouth and the indentation of

the brow (suggesting an habitual conflict with and mastery over passion) which did not seem so much to disdain a sympathy with trivialities as to be incapable of denoting them. Nor had his voice, so far as I could discover in our quiet talk, much change, or richness of intonation, but he always spoke with earnestness, and his eyes (glorious conductors of the light within) burned with a steady fire which no one could mistake for mere affability; they were one grand expression of the well-known line: "I am a man, and interested in all that concerns humanity." In our hour and a half's conversation he touched on every topic that I brought before him with an even current of good sense, if he embellished it with little wit or verbal elegance. He spoke like a man who had felt as much as he had reflected, and reflected more than he had spoken; like one who had looked upon society rather in the mass than in detail; and who regarded the happiness of America but as the first link in a series of universal victories; for his full faith in the power of these results of civil liberty which he saw all around him led him to foresee that it would, ere long, prevail in other countries, and that the social millennium of Europe would usher in the political.

When I mentioned to him the difference I perceived between the inhabitants of New England and of the southern States he remarked, "I esteem those people greatly; they are the stamina of the Union and its greatest benefactors. They are continually spreading themselves, too, to settle and enlighten less favored

quarters. Dr. Franklin is a New Englander." When I remarked that his observations were flattering to my country, he replied, with great good-humor, "Yes, yes, Mr. Bernard, but I consider your country the cradle of free principles, not their arm-chair. Liberty in England is a sort of idol; people are bred up in the belief and love of it, but see little of its doings. They walk about freely, but then it is between high walls; and the error of its government was in supposing that after a portion of their subjects had crossed the sea to live upon a common, they would permit their friends at home to build up those walls about them."

A black coming in at this moment, with a jug of spring water, I could not repress a smile, which the general at once interpreted. "This may seem a contradiction," he continued, "but I think you must perceive that it is neither a crime nor an absurdity. When we profess, as our fundamental principle, that liberty is the inalienable right of every man, we do not include madmen or idiots; liberty in their hands would become a scourge. Till the mind of the slave has been educated to perceive what are the obligations of a state of freedom, and not confound a man's with a brute's, the gift would insure its abuse. We might as well be asked to pull down our old warehouses before trade had increased to demand enlarged new ones. Both houses and slaves were bequeathed to us by Europeans, and time alone can change them; an event, sir, which, you may believe me, no man desires

more heartily than I do. Not only do I pray for it, on the score of human dignity, but I can clearly foresee that nothing but the rooting out of slavery can perpetuate the existence of our Union, by consolidating it in a common bond of principle."

I now referred to the pleasant hours I had passed in Philadelphia, and my agreeable surprise at finding there so many men of talent, at which his face lit up vividly. "I am glad to hear you, sir, who are an Englishman, say so, because you must now perceive how ungenerous are the assertions people are always making on your side of the water. One gentleman, of high literary standing—I allude to the Abbé Raynal—has demanded whether America has yet produced one great poet, statesman, or philosopher. The question shows anything but observation, because it is easy to perceive the causes which have combined to render the genius of this country scientific rather than imaginative. And, in this respect, America has surely furnished her quota. Franklin, Rittenhouse and Rush are no mean names, to which, without shame, I may append those of Jefferson and Adams as politicians; while I am told that the works of President Edwards [Jonathan Edwards] of Rhode Island are a text-book in polemics in many European colleges."

Of the replies which I made to his enquiries respecting England, he listened to none with so much interest as to those which described the character of my royal patron, the Prince of Wales. "He holds out every promise," remarked the general, "of a brilliant

career. He has been well educated by events, and I doubt not that, in his time, England will receive the benefits of her child's emancipation. She is at present bent double, and has to walk with crutches; but her offspring may teach her the secret of regaining strength, erectness and independence." In reference to my own pursuits he repeated the sentiments of Franklin; he feared the country was too poor to be a patron of the drama, and that only arts of a practical nature would for some time be esteemed. The stage he considered to be an indispensable resource for settled society and a chief refiner; not merely interesting as a comment on the history of social happiness by its exhibition of manners, but an agent of good as a school for poetry, in holding up to honor the noblest principles. "I am too old and too far removed," he added, "to seek for or require this pleasure myself, but the cause is not to droop on my account. There's my friend, Mr. Jefferson, has time and taste; he goes always to the play, and I'll introduce you to him," a promise which he kept, and which proved to me the source of the greatest benefit and pleasure.

As I was engaged to dine at home, I at length rose to take my leave, not without receiving from the general a very flattering request to call on him whenever I rode by. I had the pleasure of meeting him once after this in Annapolis, and I dined with him on a public occasion at Alexandria, my impressions each



time improving into a higher degree of respect and admiration.

I have never heard of but one jest of Washington's, which was related to me by his aide-de-camp, my good friend, Colonel Humphreys. The general, rather priding himself on his riding, the colonel was induced, one day when they were out hunting together, to offer him a bet that he would not follow him over one particular hedge. The challenge was accepted, and Humphreys led the way and took the leap boldly, but, to his consternation, discovered that he had mistaken the spot, and was deposited, up to his horse's girths, in a quagmire. The general either knew the ground better, or had suspected something, for, following at an easy pace, he reined up at the hedge, and, looking over at his engulfed aide, exclaimed, "No, no, colonel, you are too deep for me!"

## THE DEATH OF WASHINGTON

By John Marshall

*THIS account is taken from Marshall's "Life of Washington," written at the request of Washington's nephew, Bushrod Washington, and published in five volumes in 1804-07, the "Father of His Country" having died at Mount Vernon on December 14, 1799. The author, the most famous of American jurists, was Chief Justice of the United States Supreme Court from 1801 to 1835, and his home was on the Potomac, near Mount Vernon. He and Washington were friends as well as neighbors for many years, and no one was better qualified to estimate the character and appraise the greatness of our first President.*

*Although Marshall does not record them, it is well to remember that Washington's last words were, "I feel myself going. I thank you for your attentions; but I pray you to take no more trouble about me. Let me go off quietly. I cannot last long."*

cough, and a difficult deglutition, which were soon succeeded by fever, and a quick and laborious respiration.

Twelve or fourteen ounces of blood were taken from his arm, but he would not permit a messenger

ON Friday, the 13th of December, while attending to improvements on his estate, Washington was exposed to a light rain, by which his neck and hair became wet. Not apprehending danger from this circumstance, he passed the afternoon in the usual manner; but in the night was seized with an inflammatory affection of the windpipe. The disease commenced with a violent ague, accompanied with some pain in the upper and fore part of the throat, a sense of stricture in the same part, a

to be dispatched for his family physician until the appearance of day. About eleven in the morning, Doctor Craik arrived; and, perceiving the extreme danger of the case, requested that two consulting physicians should be immediately sent for. The utmost exertion of medical skill were applied in vain. The powers of life were manifestly yielding to the force of the disorder; speaking became most impracticable, respiration became more and more contracted and imperfect, until half-past eleven on Saturday night, when, retaining the full possession of his intellect, he expired without a struggle.

During the short period of his illness he economized his time in arranging those few concerns which required his attention; and anticipated his approaching dissolution with every demonstration of that equanimity for which his life was so uniformly and singularly conspicuous.

The deep and widespread grief occasioned by this melancholy event, assembled a great concourse of people for the purpose of paying the last tribute of respect to the first of Americans. His body, attended by military honors, and the ceremonies of religion, was deposited in the family vault at Mount Vernon on Wednesday, the 28th of December.

At the seat of government the intelligence of his death preceded that of his indisposition. On receiving it both Houses of Congress adjourned. On the succeeding day, as soon as the orders were read, the House of Representatives passed several resolutions

expressive of their deep feeling for the illustrious deceased, the last of which directed, "that a committee in conjunction with one from the Senate, be appointed to consider on the most suitable manner of paying honor to the memory of the man, first in war, first in peace, and first in the hearts of his fellow citizens."

Immediately after the passage of these resolutions, a written message was received from the President accompanying a letter from Mr. Lear, [Washington's private secretary] in which he said, "will inform you that it had pleased Divine Providence to remove from this life our illustrious fellow citizen George Washington, by the purity of his life, and a long series of services to his country, rendered illustrious through the world. It remains for an affectionate and grateful people, in whose hearts he can never die, to pay suitable honor to his memory."

The members of the House of Representatives waited on the President in pursuance of a resolution which had been passed, and the Senate addressed a letter to him condoling with him on the loss the nation had sustained, in terms expressing their deep sense of the worth of the deceased. The President reciprocated, in his communications to each House, the same deep-felt and affectionate respect "for the most illustrious and beloved personage America had ever produced."

The halls of both Houses were shrouded in black, and the members wore mourning for the residue of the session. The joint committee which had been

appointed to devise the mode by which the nation should express its feelings on this melancholy occasion, reported the following resolutions:

“That a marble monument be erected by the United States at the city of Washington, and that the family of General Washington be requested to permit his body to be deposited under it; and that the monument be so designed as to commemorate the great events of his military and political life.

“That there be a funeral procession from Congress Hall to the German Lutheran Church, in memory of General Washington, on Thursday the 26th instant, and that an oration be prepared at the request of Congress, to be delivered before both Houses on that day; and that the President of the Senate, and Speaker of the House of Representatives, be desired to request one of the members of Congress to prepare and deliver the same.

“That it be recommended to the people of the United States to wear crape on the left arm as a mourning for thirty days.

“That the President of the United States be requested to direct a copy of these resolutions to be transmitted to Mrs. Washington, assuring her of the profound respect Congress will ever bear to her person and character, of their condolence on the late affecting dispensation of Providence, and entreating her assent to the interment of the remains of General Washington in the manner expressed in the first resolution.



"That the President be requested to issue his proclamation, notifying to the people throughout the United States the recommendation contained in the third resolution."

These resolutions passed both Houses unanimously; and those which would admit of immediate execution were carried into effect. The whole nation appeared in mourning. The funeral procession was grand and solemn; and the eloquent oration, which was delivered by General Lee, was heard with profound attention and with deep interest. Similar marks of affliction were exhibited throughout the United States. In every part of the continent funeral orations were delivered, and the best talents of the nation were devoted to an expression of its grief.

To the letter of the President which transmitted to Mrs. Washington the resolutions of Congress, that lady answered: "Taught by the great example which I have so long had before me, never to oppose my private wishes to the public will, I must consent to the request made by Congress, which you have had the goodness to transmit to me; and in doing this, I need not, I cannot say what a sacrifice of individual feeling I make to a sense of public duty."

The monument, however, has not been erected. That the great events of the political as well as military life of General Washington should be commemorated, could not be pleasing to those who had condemned, and who continued to condemn, the whole course of his administration. This resolution, al-

though it passed unanimously, had many enemies. That party which had long constituted the opposition, and which, though the minority for the moment, nearly divided the House of Representatives, declared its preference for the equestrian statue which had been voted by Congress at the close of the war. The division between a statue and a monument was so nearly equal, that the session passed away without appropriation for either. The public feeling soon subsided, and those who quickly recovered their ascendancy over the public sentiment, employed their influence to draw odium on the men who favored a monument; to represent that measure as a part of a general system to waste the public money; and to impress the idea that the only proper monument to the memory of a meritorious citizen was that which the people would erect in their affections. A man who professed an opinion in favor of the monument was soon branded with the mark of an anti-republican.

General Washington was rather above the common size. His frame was robust, and his constitution vigorous. His figure created in the beholder the idea of strength united with manly grace.

His manners were rather reserved than free; though on all proper occasions he could relax sufficiently to show how highly he was gratified by the charms of conversation, and the pleasures of society. His person and whole deportment exhibited an unaffected and indescribable dignity, unmingled with haughtiness, of which all who approached him were

sensible; and the attachment of those who possessed his friendship and enjoyed his intimacy, though ardent, was always respectful.

His temper was humane, benevolent, and conciliatory; but there was a quickness in his sensibility to anything apparently offensive, which experience had taught him to watch and to correct.

In the management of his private affairs, he exhibited an exact yet liberal economy. His funds were not wasted on capricious and ill-examined schemes, nor refused to beneficial, though costly improvements. They remained, therefore, competent to that expensive establishment which his reputation, added to a hospitable temper, had, in some measure, imposed upon him; and to those donations which real distress has a right to claim from opulence.

He had no pretensions to that vivacity which fascinates, or to that wit which dazzles, and frequently imposes on the understanding. More solid than brilliant, judgment rather than genius constituted the prominent feature of his character.

No man has ever appeared upon the theater of human action whose integrity was more incorruptible, or whose principles were more perfectly free from the contamination of those selfish and unworthy passions which find their nourishment in the conflicts of party. His ends were always upright, and his means always pure. He exhibits the rare example of a politician to whom wiles were absolutely unknown. In him was fully exemplified the real distinction between

wisdom and cunning, and the truth of the maxim that "honesty is the best policy."

Neither the extraordinary partiality of the American people, the extravagant praises which were bestowed upon him, nor the inveterate opposition and malignant calumnies which he encountered, had any visible influence on his conduct. The cause is to be looked for in the texture of his mind.

In him, that innate and unassuming modesty which adulation would have offended, which the voluntary plaudits of millions could not betray into indiscretion, and which never obtruded upon others his claims to superior consideration, was happily blended with a high and correct sense of personal dignity, and with a just consciousness of that respect which is due to station. . . .

## FUNERAL ORATION ON WASHINGTON

By Major General Henry Lee

*THIS eloquent tribute to the "Father of His Country" was rendered by General Lee before the two Houses of Congress on December 26, 1799, twelve days after Washington died at Mount Vernon. Methods of communication were so primitive in those days that the news of his death reached the national capital before it was known that Washington was ill. It was first communicated by a stage-coach passenger to an acquaintance on the street, and the report quickly reached Congress which was then in session. Sentiments of dismay and grief abounded, and Congress adjourned. Lee and Lafayette stood close together in the affection of Washington, and this oration was inspired by the deep love, almost amounting to adoration, which Lee had for his dead fellow Virginian and Chief.*

*This Lee, known as "Light Horse Harry," was the father of General Robert E. Lee, the great Confederate leader.*

IN OBEDIENCE to your will, I rise, your humble organ, with the hope of executing a part of the system of public mourning which you have been pleased to adopt, commemorative of the death of the most illustrious and most beloved personage this country has ever produced; and which, while it transmits to posterity your sense of the awful event, faintly represents your knowledge of the consummate excellence you so cordially honor.

Desperate, indeed, is any attempt on earth to meet correspondingly this

dispensation of Heaven; for, while with pious resignation we submit to the will of an all-gracious Providence, we can never cease lamenting, in our finite view of Omnipotent Wisdom, the heart-rending priva-



tion for which our nation weeps. When the civilized world shakes to its center; when every moment gives birth to strange and momentous changes; when our peaceful quarter of the globe, exempt as it happily has been from any share in the slaughter of the human race, may yet be compelled to abandon her pacific policy, and to risk the doleful casualties of war; what limit is there to the extent of our loss? None within the reach of my words to express; none which your feelings will not disavow.

The founder of our Federate Republic—our bulwark in war, our guide in peace, is no more! O that this were but questionable! Hope, the comforter of the wretched, would pour into our agonizing hearts its balmy dew. But, alas! there is no hope for us; our Washington is removed forever! Possessing the stoutest frame and purest mind, he had passed nearly to his sixty-eighth year in the enjoyment of high health, when, habituated by his care of us to neglect himself, a slight cold, disregarded, became inconvenient on Friday, oppressive on Saturday, and, defying every medical interposition, before the morning of Sunday put an end to the best of men. An end, did I say? His fame survives! bounded only by the limits of the earth, and by the extent of the human mind. He survives in our hearts—in the growing knowledge of our children—in the affection of the good throughout the world. And when our monuments shall be done away; when nations now existing shall be no more; when even our young and far-spreading em-

pire shall have perished; still will our Washington's glory unfaded shine, and die not, until love of virtue cease on earth, or earth itself sinks into chaos!

How, my fellow-citizens, shall I single to your grateful hearts his preëminent worth! Where shall I begin, in opening to your view a character throughout sublime? Shall I speak of his warlike achievements, all springing from obedience to his country's will, all directed to his country's good?

Will you go with me to the banks of the Monongahela, to see your youthful Washington supporting, in the dismal hour of Indian victory, the ill-fated Braddock, and saving, by his judgment and by his valor, the remains of a defeated army, pressed by the conquering savage foe? or when, oppressed America nobly resolving to risk her all in defense of her violated rights, he was elevated by the unanimous voice of Congress to the command of our her armies? Will you follow him to the high grounds of Boston, where, to an undisciplined, courageous and virtuous yeomanry, his presence gave the stability of system, and infused the invincibility of love of country? Or shall I carry you to the painful scenes of Long Island, York Island and New Jersey, when, combating superior and gallant armies, aided by powerful fleets, and led by chiefs high in the roll of fame, he stood the bulwark of our safety, undismayed by disaster, unchanged by change of fortune? Or will you view him in the precarious fields of Trenton, where deep gloom, unnerving every arm, reigned triumphant through our

thinned, worn down, unaided ranks—himself unmoved? Dreadful was the night. It was about this time of winter. The storm raged. The Delaware, rolling furiously with floating ice, forbade the approach of man. Washington, self-collected, viewed the tremendous scene. His country called. Unappalled by surrounding dangers, he passed to the hostile shore; he fought; he conquered. The morning sun cheered the American world. Our country rose on the event; and her dauntless Chief, pursuing his blow, completed in the lawns of Princeton what his vast soul had conceived on the shores of Delaware.

Thence to the strong grounds of Morristown he led his small but gallant band; and through an eventful winter, by the high efforts of his genius, whose matchless force was measurable only by the growth of difficulties, he held in check formidable hostile legions, conducted by a chief experienced in the art of war, and famed for his valor on the ever memorable Heights of Abraham, where fell Wolfe, Montcalm, and since, our much lamented Montgomery; all covered with glory. In this fortunate interval, produced by his masterly conduct, our fathers, ourselves, animated by his resistless examples, rallied around our country's standard, and continued to follow her beloved chief through the various and trying scenes to which the destinies of our Union led.

Who is there that has forgotten the vales of Brandywine, the fields of Germantown, or the plains of Monmouth? Everywhere present, wants of every kind



WASHINGTON'S TOMB AT MOUNT VERNON





obstructing, numerous and valiant armies encountering, himself a host, he assuaged our sufferings, limited our privations, and upheld our tottering Republic. Shall I display to you the spread of the fire of his soul, by rehearsing the praises of the hero of Saratoga, and his much loved compeer of the Carolinas? No; our Washington wears not borrowed glory. To Gates, to Greene, he gave without reserve the applause due to their eminent merit; and long may the chiefs of Saratoga and of Eutaws receive the grateful respect of a grateful people.

Moving in his own orbit, he imparted heat and light to his most distant satellites; and combining the physical and moral force of all within his sphere, with irresistible weight he took his course, commiserating folly, disdaining vice, dismaying treason, and invigorating despondency; until the auspicious hour arrived, when, united with the intrepid forces of a potent and magnanimous ally, he brought to submission the since conqueror of India; thus finishing his long career of military glory with a lustre corresponding to his great name, and, in this his last act of war, affixing the seal of fate to our nation's birth.

To the horrid din of battle sweet peace succeeded; and our virtuous Chief, mindful only of the common good, in a moment tempting personal aggrandizement, hushed the discontents of growing sedition, and, surrendering his power into the hands from which he had received it, converted his sword into a

plowshare; teaching an admiring world that to be truly great you must be truly good.

Were I to stop here, the picture would be incomplete, and the task imposed unfinished. Great as was our Washington in war, and as much as did that greatness contribute to produce the American Republic, it is not in war alone his preëminence stands conspicuous. His various talents, combining all the capacities of a statesman with those of a soldier, fitted him alike to guide the councils and the armies of our nation. Scarcely had he rested from his martial toils, while his invaluable parental advice was still sounding in our ears, when he, who had been our shield and our sword, was called forth to act a less splendid, but more important part. . . .

Commencing his administration, what heart is not charmed with the recollection of the pure and wise principles announced by himself, as the basis of his political life? He best understood the indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy, and the solid rewards of public prosperity and individual felicity. Watching with an equal and comprehensive eye over this great assemblage of communities and interests, he laid the foundations of our national policy in the unerring, immutable principles of morality, based on religion, exemplifying the preëminence of a free government by all the attributes which win the affections of its citizens, or command the respect of the world. . . .

Maintaining his pacific system at the expense of no duty, America, faithful to herself, and unstained in her honor, continued to enjoy the delights of peace, while afflicted Europe mourns in every quarter under the accumulated miseries of an unexampled war; miseries in which our happy country must have shared, had not our preëminent Washington been as firm in council as he was brave in the field.

Pursuing steadfastly his course, he held safe the public happiness, preventing foreign war, and quelling internal discord, till the revolving period of a third election approached, when he executed his interrupted but inextinguishable desire of returning to the humble walks of private life.

The promulgation of his fixed resolution stopped the anxious wishes of an affectionate people from adding a third unanimous testimonial of their unabated confidence in the man so long enthroned in their hearts. When before was affection like this exhibited on earth? Turn over the records of ancient Greece; review the annals of mighty Rome; examine the volumes of modern Europe—you search in vain. America and her Washington only afford the dignified exemplification.

The illustrious personage called by the national voice in succession to the arduous office of guiding a free people had new difficulties to encounter. The amicable effort of settling our difficulties with France, begun by Washington, and pursued by his successor in virtue as in station, proving abortive, America took

measures of self-defense. No sooner was the public mind roused by a prospect of danger, than every eye was turned to the friend of all, though secluded from public view, and grey in public service. The virtuous veteran, following his plow, received the unexpected summons with mingled emotions of indignation at the unmerited ill treatment of his country, and of a determination once more to risk his all in her defense.

The annunciation of these feelings in his affecting letter to the President, accepting the command of the army, concludes his official conduct.

First in war, first in peace, and first in the hearts of his countrymen, he was second to none in the humble and endearing scenes of private life. Pious, just, humane, temperate and sincere; uniform, dignified and commanding, his example was as edifying to all around him, as were the effects of that example lasting.

To his equals he was condescending, to his inferiors kind, and to the dear object of his affections exemplarily tender. Correct throughout, vice shuddered in his presence, and virtue always felt his fostering hand. The purity of his private character gave effulgence to his public virtues.

His last scene comported with the whole tenor of his life. Although in extreme pain, not a sigh, not a groan escaped him; and with undisturbed serenity he closed his well-spent life. Such was the man America has lost! Such was the man for whom our nation mourns!

Methinks I see his august image, and hear, falling from his venerable lips, these deep-sinking words:

"Cease, Sons of America, lamenting our separation. Go on, and confirm by your wisdom the fruits of our joint councils, joint efforts, and common dangers. Reverence religion; diffuse knowledge throughout your land; patronize the arts and sciences; let liberty and order be inseparable companions; control party spirit, the bane of free government; observe good faith to, and cultivate peace with all nations; shut up every avenue to foreign influence; contract rather than extend national connection; rely on yourselves only: be American in thought and deed. Thus will you give immortality to that union, which was the constant object of my terrestrial labors: thus will you preserve undisturbed to the latest posterity the felicity of a people to me most dear; and thus will you supply (if my happiness is now aught to you) the only vacancy in the round of pure bliss high Heaven bestows."



## JEFFERSON'S ESTIMATE OF WASHINGTON

*DESPITE their fundamental differences of political opinion—Jefferson being the pathfinder of Democratic principles, and Washington being, along with Hamilton, a Federalist forefather of Republican principles—Jefferson profoundly admired and respected Washington. Both were Virginians, who had been tried and tested in the same Revolutionary fires.*

*Jefferson, whom Washington had chosen to be his first Secretary of State, did not find the position congenial, and retired from the Cabinet into private life at the end of 1793. His temporary retirement was the signal for his radical adherents to attack Washington scurrilously, but there is no evidence that the sage of Monticello inspired or encouraged them. On the contrary, the accompanying eulogy, written in 1799, shortly after Washington's death at Mount Vernon, is clear evidence of the esteem and admiration the author had for the Father of His Country.*

he derived from councils of war, where, hearing all suggestions, he selected whatever was best; and certainly, no general planned his battles more judiciously.

But if deranged during the course of the action, if any member of his plan was dislocated by sudden

I THINK I knew General Washington intimately and thoroughly; and were I called on to delineate his character, it should be in terms like these: His mind was great and powerful without being of the very first order; his penetration strong, though not so acute as that of a Newton, Bacon or Locke; and, as far as he saw, no judgment was ever sounder. It was slow in operation, being little aided by imagination or invention, but sure in conclusion. Hence the common remark of his officers, of the advantage

circumstances, he was slow in a readjustment. The consequence was that he often failed in the field, and rarely against an enemy in station, as at Boston and York. He was incapable of fear, meeting personal danger with the calmest unconcern.

Perhaps the strongest feature in his character was prudence, never acting until every circumstance, every consideration, was maturely weighed; refraining if he saw a doubt, but, when once decided, going through with his purpose, whether obstacles opposed. His integrity was most pure, his justice the most inflexible I have ever known, no motives of interest or consanguinity, of friendship or hatred, being able to bias his decision. He was, indeed, in every sense of the words, a wise, a good and a great man. His temper was naturally irritable and high-toned; but reflection and resolution had obtained a firm and habitual ascendancy over it. If ever, however, it broke its bonds, he was most tremendous in his wrath.

In his expenses he was honorable, but exact; liberal in contribution to whatever promised utility; but frowning and unyielding on all visionary projects, and all the unworthy calls on his charity. His heart was not warm in its affections; but he exactly calculated every man's value, and gave him a solid esteem proportioned to it. His person was fine; his stature exactly what one would wish; his deportment easy, erect and noble; the best horseman of his age, and the most graceful figure that could be seen on horse-

back. Although in the circle of his friends, where he might be unreserved with safety, he took a free share in conversation, his colloquial talents were not above mediocrity, possessing neither copiousness of ideas nor fluency of words. In public, when called on for a sudden opinion, he was unready, short and embarrassed. Yet he wrote readily, rather diffusely, in an easy and correct style. This he had acquired by conversation with the world, for his education was merely reading, writing and common arithmetic, to which he added surveying at a later day. His time was employed in action chiefly, reading little, and that only in agriculture and English history. His correspondence became necessarily extensive, and, with journalizing his agricultural proceedings, occupied most of his leisure hours within doors.

On the whole, his character was, in its mass, perfect; in nothing bad, in few points indifferent; and it may truly be said that never did Nature and fortune combine more perfectly to make a man great, and to place him in the same constellation with whatever worthies have merited from man an everlasting remembrance. For his was the singular destiny and merit of leading the armies of his country successfully through an arduous war, for the establishment of its independence; of conducting its councils through the birth of a Government new in its forms and principles, until it had settled down into a quiet and orderly train; and of scrupulously obeying the laws through the whole of his career, civil and military, of

which the history of the world furnishes no other example. . . .

He has often declared to me that he considered our new Constitution as an experiment on the practicability of republican government, and with what dose of liberty man could be trusted for his own good; that he was determined the experiment should have a fair trial, and would lose the last drop of his blood in support of it. I do believe that General Washington had a firm confidence in the durability of our government. I felt on his death, with my countrymen, that, "Verily a very great man hath fallen this day in Israel."

## HOW JEFFERSON WAS ELECTED

*By Senator Charles Pinckney*

**I**N THE bitter Presidential campaign of 1800, the Republican candidates, Jefferson and Burr received the same number of votes, leaving the decision to Congress. Jefferson, to whom Senator Pinckney wrote this letter on October 12, 1800, was chosen, chiefly through the influence of his Federalist opponent, Alexander Hamilton, who was too patriotic to support Burr. Although Pinckney enthusiastically supported Jefferson, his cousin, Charles C. Pinckney, was the Federal candidate for Vice-President.

Facing a threatened revolution, Jefferson behaved with such moderation on taking office as to draw from the Federalist Party much of its vital energy. He rode horseback, without attendants, from Monticello to Washington, tied his horse to the fence, and walked uncerimoniously into the Senate chamber to take the oath of office. During his administration knee-breeches gave way to trousers.

it and mean to go to Columbia to be at the election of electors. The twenty-four numbers of the Republican which I have written have been sent on to you, and I trust you have received and approved them.

**I** WISH to know how things will go in Maryland and Pennsylvania and Delaware and Jersey. The influence of the officers of the government and of the banks and of the British and mercantile interest will be very powerful in Charleston. I think we shall in the city as usual lose two-thirds of the representation, but the city has generally not much influence at Columbia [South Carolina]. Our country Republican interest has always been very strong, and I have no doubt will be so now. I have done everything to strengthen



They are written in much moderation and have been circulated as much as possible. So has the little Republican Farmer I showed you in Philadelphia and which has been reprinted in all our Southern States. With these and my speeches on juries, judges, Ross' Bill, the Intercourse Bill and the Liberty of the Press, we have literally sprinkled Georgia and North Carolina from the mountains to the ocean. Georgia will be unanimous, North Carolina 8 or 9, Tennessee unanimous, and I am hopeful we shall also. . . .

[October 16.] Since the within was written we have had the election for Charleston, which by dint of the bank and Federal interest is reported by the managers to be against us 11 to 4—that is, the Federalists are reported to have 11 out of 15 the number for the city representation. Many of our members run within 28 and 30 and 40 and we think we get four in—I believe 5. To show you what has been the contest and the abuse I have been obliged to bear, I inclose you some of the last days' publications. I suppose this unexpected opposition to my kinsman who has never been opposed here before as member for the city, will sever and divide me from him and his brother forever, for the Federalists all charge me with being the sole cause of any opposition in this State, where all our intelligence from the country convinces me we shall have a decided majority in our Legislature. . . . I never before this knew the full extent of the Federal interest connected with the British and the aid of the banks and the Federal treasury, and all their officers.

They have endeavored to shake Republicanism in South Carolina to its foundations, but we have resisted it firmly and I trust successfully. Our country interest out of the reach of banks and custom houses and Federal officers is I think as pure as ever. I rejoice our Legislature meets 130 or 40 miles from the sea.

As much as I have been accustomed to politics and to study mankind this election in Charleston has opened to me a new view of things. Never certainly was such an election in America. We mean to contest it for 8 or 9 of the 15. It is said several hundred more voted than paid taxes; the lame, crippled, diseased and blind were either led, lifted or brought in carriages to the poll. The sacred right of ballot was struck at, for at a late hour, when too late to counteract it, in order to know how men, who were supposed to be under the influence of banks and Federal officers and English merchants voted, and that they might be watched to know whether they voted as they were directed, the novel and unwarrantable measure was used of voting with tickets printed on green and blue and red and yellow paper and men stationed to watch the votes. The contest lasted several days and nights . . .

. . . I congratulate you most sincerely on the change in Maryland and the probable one in North Carolina and Rhode Island. In this State I have no doubt nor ever had. . . .

[October 26.] . . . I have just got a letter from Mr. Dawson confirming from the authority of Mr. Burr the —— business of Rhode Island. Is it possible? Can good come out of Galilee? . . .

[November 22.] I have just received your favor after an interval since its date of nearly one month. I am to particularly regret your not receiving my communications as I wanted some facts from you to aid me in the very delicate and arduous struggle I have in this State. Finding from my intelligence that the Pennsylvania Senate intended to contend for a concurrent vote in the choice of electors and thus to shield themselves under a pretended affection for the rights of their branch from the popular odium, I very early perceived that the choice of a President would in a great measure depend upon this State's vote. I therefore very assiduously have attended to this object since June and now wait the issue which is to be decided on Tuesday next. My anxiety on this subject is very much increased by a letter I have received from Governor Monroe in answer to one I wrote him on the subject; he seems to think with me that our State must decide it and that Pennsylvania is very uncertain. . . . Urged by those principles it is my duty never to forsake and well convinced that the election depends on this State I have taken post with some valuable friends at Columbia where our Legislature meet and are now in session, and here I mean to remain until the thing is settled. I am told I am to be personally insulted for being here while I ought

to be in Washington, and that a motion will be made expressing the opinion of one of the branches that all their members ought to be present at the discussion of the French treaty. But I who know that the President's election is of more consequence than any treaty and who feel my presence here to be critically important, mean to remain with you who know the reason will readily excuse my absence. To weaken the Federal party in our Legislature, which is stronger than I ever knew it, an attempt is made to set aside the Charleston election and I have suggested a new idea to the petitioners, which is to suspend the sitting members immediately from their seats. . . . Whether they vote or not I think we shall carry the election, and the moment it is decided I will write you. My situation here is peculiarly delicate and singular. I am the only Member of Congress of either side present and the Federalists view me with a very jealous eye. . . .

[December 2: 1800] The election is just finished and we have, thanks to Heaven's goodness, carried it. . . .

[December 20.] . . . It is with great concern I have just heard that my fears on the Rhode Island head were too well founded. I was always afraid that much good could not come out of either Nazareth or Galilee and I find I was right. New England is New England still and unless an earthquake could remove them and give them about ten degrees of our southern sun in their constitutions they will always remain so.

You may as well attempt to separate the barnacle from the oyster, or a body of Caledonians as to divide New England. Not so our southern gentry. View Maryland and North Carolina and tell me by what policy can it be that we have lost so many votes from States that ought to cling to the southern Republican interest as to the rock of their earthly salvation—States, too, with whom so much pains have been taken to direct them in the right road. . . .

[January 24, 1801.] . . . I write . . . to mention that having seen in the northern papers an account that a compromise was offered and rejected by the Federalists I do positively deny that any such compromise was offered by the body of the Republican interest or ever intended by them. If anything ever was said on that subject it must have been by some one or two of our friends who might have been very anxious to secure your election and would rather compromise than risk it, but if even one did whisper such a thing it was wholly unknown to me, or to the great body of Republican interest, for they were determined from the jump never to hear of any compromise, and so far from thinking of it they met at the academy hall in Columbia the very first night of the session and near seventy of them signed a paper and determined not to compromise but to support the ticket of the Republican interest as it was run and carried. . . .



## HAMILTON'S ESTIMATE OF JEFFERSON

AT THE time Alexander Hamilton wrote this letter, dated Philadelphia, May 26, 1792, to an intimate Virginia friend, Colonel Edward Carrington, in order that the people of Jefferson's State might appreciate the Federalist as well as the Republican point of view, he was Secretary of the Treasury under Washington. It was difficult to consider Washington as a partisan, though his doctrine was strongly Federalist, hence Hamilton was looked upon as the party leader, in opposition to the Jeffersonian Republicans.

Hamilton favored a strong centralized government, as opposed to greater powers to the individual States advocated by Jefferson. Hamilton supported Washington's policy of strict neutrality during the Revolutionary turmoil in Europe and the wars between France and England. Jefferson thought such a policy savored of ingratitude to France.

Following this document appears an interesting impression of Jefferson, dictated by Webster after visiting Monticello in 1824.

before confine myself to the mention of a few.

First, as to the point of opposition to me, and my administration.

IT was not till the last session that I became unequivocally convinced of the following truth, "that Mr. Madison, co-operating with Mr. Jefferson, is at the head of a faction, decidedly hostile to me, and my administration; and actuated by views, in my judgment, subversive of the principles of good government, and dangerous to the Union, peace and happiness of the country." . . .

This conviction in my mind is the result of a long train of circumstances, many of them minute. To attempt to detail them all would fill a volume. I shall there-

Mr. Jefferson, with very little reserve, manifests his dislike of the funding system generally; calling in question the expediency of funding a debt at all. Some expressions which he has dropped in my own presence (sometimes without sufficient attention to delicacy) will not permit me to doubt, on this point, representations which I have had from various respectable quarters. I do not mean that he advocates directly the undoing of what has been done; but he censures the whole, on principles, which, if they should become general, could not but end in the subversion of the system.

In various conversations with foreigners, as well as citizens, he has thrown censure on my principles of government, and on my measures of administration. He has predicted that the people would not long tolerate my proceedings; and that I should not long maintain my ground. Some of those, whom he immediately and notoriously moves, have even whispered suspicions of the rectitude of my motives and conduct. In the question concerning the Bank, he not only delivered an opinion in writing against its constitutionality and expediency, but he did it in a style and manner which I felt as partaking of asperity and ill humor towards me. As one of the trustees of the Sinking Fund, I have experienced, in almost every leading question, opposition from him. When any turn of things in the community has threatened either odium or embarrassment to me, he has not been able to suppress the satisfaction, which it gave him. . . .

I find a strong confirmation in the following circumstances. Freneau, the present printer of the "National Gazette," who was a journeyman, with Childs & Swain, at New York, was a known Anti-Federalist. It is reduced to a certainty, that he was brought to Philadelphia by Mr. Jefferson to be the conductor of a newspaper. It is notorious that, cotemporarily with the commencement of his paper, he was a clerk in the Department of State, for foreign languages. Hence a clear inference that his paper has been set on foot and is conducted, under the patronage and not against the views of Mr. Jefferson. What then is the complexion of this paper? Let any impartial man peruse all the numbers down to the present day; and I never was more mistaken if he does not pronounce that it is a paper devoted to the subversion of me and the measures in which I have had an agency; and I am little less mistaken if he do not pronounce, that it is a paper of a tendency generally unfriendly to the government of the United States.

It may be said, that a newspaper being open to all the publications which are offered to it, its complexion may be influenced by other views than those of the editor. But the fact here is, that whenever the editor appears it is in a correspondent dress. The paragraphs which appear as his own; the publications, not original, which are selected for his press,—are of the same malignant and unfriendly aspect; so as not to leave a doubt of the temper which directs the publication. . . .

Secondly, As to the tendency of the views of the two gentlemen who have been named. . . .

In almost all the questions, great and small, which have arisen since the first session of Congress, Mr. Jefferson and Mr. Madison have been found among those who are disposed to narrow the Federal authority. . . .

In respect to our foreign politics, the views of these gentlemen are, in my judgment, equally unsound, and dangerous. They have a womanish attachment to France, and a womanish resentment against Great Britain. They would draw us into the closest embrace of the former, and involve us in all the consequences of her politics; and they would risk the peace of the country, in their endeavors to keep us at the greatest possible distance from the latter. This disposition goes to a length, particularly in Mr. Jefferson, of which, till lately, I had no adequate idea. Various circumstances prove to me that, if these gentlemen were left to pursue their own course, there would be, in less than six months, an open war between the United States and Great Britain. . . .

Having delineated to you what I conceive to be the true complexion of the politics of these gentlemen, I will now attempt a solution of these strange appearances.

Mr. Jefferson, it is known, did not, in the first instance, cordially acquiesce in the new Constitution for the United States; he had many doubts and re-

serves. He left this country before we had experienced the imbecilities of the former.

In France he saw government only on the side of its abuses. He drank deeply of the French philosophy, in religion, in science, in politics. He came from France in the moment of a fermentation, which he had a share in exciting; and in the passions and feelings of which he shared both from temperament and situation. He came here probably with a too partial idea of his own powers and with the expectation of a greater share in the direction of our councils than he has in reality enjoyed. I am not sure that he had not peculiarly marked out for himself the department of the finances.

He came electrified plus with attachment to France, and with the project of knitting together the two countries in the closest political bands. . . .

Attempts were made by these gentlemen, in different ways, to produce a commercial warfare with Great Britain. In this, too, they were disappointed. And, as they had the liveliest wishes on the subject, their dissatisfaction has been proportionably great; and, as I had not favored the project, I was comprehended in their displeasure. . . .

Another circumstance has contributed to widening the breach. 'Tis evident, beyond a question, from every movement, that Mr. Jefferson aims with ardent desire at the Presidential chair. This, too, is an important object of the party—politics. It is supposed, from the nature of my former personal and political



connections, that I may favor some other candidate more than Mr. Jefferson, when the question shall occur by the retreat of the present gentleman. My influence, therefore, with the community, becomes a thing, on ambitious and personal grounds, to be resisted and destroyed. . . .

It is possible, too, (for men easily heat their imaginations when their passions are heated,) that they have, by degrees, persuaded themselves of what they may have at first only sported to influence others; namely, that there is some dreadful combination against State government and Republicanism; which, according to them, are convertible terms. But there is so much absurdity in this supposition that the admission of it tends to apologize for their hearts at the expense of their heads.

Under the influence of all these circumstances, the attachment to the government of the United States, originally weak in Mr. Jefferson's mind, has given way to something very like dislike in Mr. Madison's; it is so counteracted by personal feelings as to be more an affair of the head than of the heart . . .

In such a state of mind, both these gentlemen are prepared to hazard a great deal to effect a change. Most of the important measures of every government are connected with the treasury. To subvert the present head of it, they deem it expedient to risk rendering the government itself odious; perhaps, foolishly thinking that they can easily recover the lost affections and confidence of the people; and not ap-

preciating, as they ought to do, the natural resistance to government, which in every community results from the human passions—the degree to which this is strengthened by the organized rivalry of State governments,—and the infinite danger that the National government, once rendered odious, will be kept so by these powerful and indefatigable enemies.

They forget an old, but a very just, though a coarse saying, that it is much easier to raise the devil than to lay him.

## WEBSTER'S IMPRESSION OF JEFFERSON

**M**R. JEFFERSON is now between eighty-one and eighty-two, above six feet high, of an ample, long frame, rather thin and spare. His head, which is not peculiar in its shape, is set rather forward on his shoulders; and his neck being long, there is, when he is walking or conversing, an habitual protrusion of it. It is still well covered with hair, which having been once red, and now turning gray, is of an indistinct sandy color.

His eyes are small, very light, and now neither brilliant nor striking. His chin is rather long, but not pointed. His nose small, regular in its outline, and the nostrils a little elevated. His mouth is well formed and still filled with teeth; it is strongly compressed, bearing an expression of contentment and benevolence. His complexion, formerly light and freckled, now bears the marks of age and cutaneous affection. His limbs are uncommonly long; his hands and feet very large, and his wrists of an extraordinary size. His walk is not precise and military, but easy and swinging. He stoops a little, not so much from age as from natural formation. When sitting, he appears short, partly from a rather lounging habit of sitting, and partly from the disproportionate length of his limbs.

His dress, when in the house, is a gray surtout coat, kerseymere stuff waistcoat, with an under one faced with some material of a dingy red. His pantaloons

are very long and loose, and of the same color as his coat. His stockings are woollen either white or gray; and the shoes of the kind that bear his name. His whole dress is very much neglected, but not slovenly. He wears a common round hat. His dress, when on horseback, is a gray straight-bodied coat and a spencer of the same material, both fastened with large pearl buttons. When we first saw him, he was riding; and, in addition to the above articles of apparel, wore round his throat a knit white woollen tippet, in the place of a cravat, and black velvet gaiters under his pantaloons. His general appearance indicates an extraordinary degree of health, vivacity and spirit. His sight is still good, for he needs glasses only in the evening. His hearing is generally good, but a number of voices in animated conversation confuses it.

Mr. Jefferson rises in the morning as soon as he can see the hands of his clock, which is directly opposite his bed, and examines his thermometer immediately, as he keeps a regular meteorological diary. He employs himself chiefly in writing till breakfast, which is at nine. From that time, till dinner, he is in his library, excepting that in fair weather he rides on horseback from seven to fourteen miles. Dines at four, returns to the drawing-room at six, when coffee is brought in, and passes the evening till nine in conversation. His habit of retiring at that hour is so strong, that it has become essential to his health and comfort. His diet is simple, but he seems restrained only by his taste. His breakfast is tea and coffee,

bread always fresh from the oven, of which he does not seem afraid, with sometimes a slight accompaniment of cold meat. He enjoys his dinner, well, taking with his meat a large proportion of vegetables. He has a strong preference for the wines of the Continent, of which he has many sorts of excellent quality, having been more than commonly successful in his mode of importing and preserving them. Among others, we found the following, which are very rare in this country, and apparently not at all injured by transportation: L'Ednau, Muscat, Samian, and Blanchette de Limoux. Dinner is served in half Virginian, half French style, in good taste and abundance. No wine is put on the table till the cloth is removed.

In conversation, Mr. Jefferson is easy and natural, and apparently not ambitious; it is not loud, as challenging general attention, but usually addressed to the person next him. The topics, when not selected to suit the character and feelings of his auditor, are those subjects with which his mind seems particularly occupied; and these, at present, may be said to be science and letters, and especially the University of Virginia, which is coming into existence almost entirely from his exertions, and will rise, it is to be hoped, to usefulness and credit under his continued care. When we were with him, his favorite subjects were Greek and Anglo-Saxon, historical recollections of the times and events of the Revolution, and of his residence in France from 1783-4 to 1789.



## JEFFERSON'S ESTIMATE OF PATRICK HENRY

*As reported by Daniel Webster*

THIS estimate of Patrick Henry is contained in a record entitled "anecdotes from Mr. Jefferson's conversation," which Daniel Webster kept of his visit to Jefferson at Monticello in 1824. Evidently Webster quoted Jefferson verbatim, and it is apparent that Jefferson was outspoken in appraising his contemporaries.

At the time Jefferson discussed Patrick Henry with Webster, he (Jefferson) was in his eighty-first year and Patrick Henry had been dead twenty-five years. Webster was forty-two. Writing of their meeting, to James Monroe, Jefferson said, "I am much gratified by the acquaintance made with Webster. He is likely to become of great weight in our government."

Patrick Henry was originally a bar-keeper. He was married very young, and going into some business, on his own account, was a bankrupt before the year was out. When I was about the age of fifteen, I left the school here, to go to the college of Williamsburgh. I stopped a few days at a friend's in the county of Louisa. There I first saw and became acquainted with Patrick Henry. Having spent the Christmas holidays there, I proceeded to Williamsburgh. Some question arose about my admission, as my preparatory studies had not been pursued at the school connected with that institution. This delayed my admission about a fortnight, at which time Henry appeared in Williamsburgh, and applied for a license to practise law, having commenced the study of it at or subsequently to the time of my meeting him in Louisa. There were four examiners, Wythe, Pendle-

ton, Peyton Randolph, and John Randolph. Wythe and Pendleton at once rejected his application. The two Randolphs, by his importunity, were prevailed upon to sign the license; and having obtained their signatures, he applied again to Pendleton, and after much entreaty and many promises of future study, succeeded in obtaining his. He then turned out for a practising lawyer.

The first case which brought him into notice was a contested election, in which he appeared as counsel before a committee of the House of Burgesses. His second was the Parsons cause, already well known. These and similar efforts soon obtained for him so much reputation that he was elected a member of the legislature. He was as well suited to the times as any man ever was, and it is not now easy to say what we should have done without Patrick Henry. He was far before all in maintaining the spirit of the Revolution. His influence was most extensive with the members from the upper counties, and his boldness and their votes overawed and controlled the more cool or the more timid aristocratic gentlemen of the lower part of the State. His eloquence was peculiar, if indeed it should be called eloquence; for it was impressive and sublime, beyond what can be imagined. Although it was difficult when he had spoken to tell what he had said, yet, while he was speaking, it always seemed directly to the point. When he had spoken in opposition to my opinion, had produced a great effect, and I myself been highly delighted

and moved, I have asked myself when he ceased: "What the d—l has he said?" I could never answer the inquiry. His person was of full size, and his manner and voice free and manly. His utterance neither very fast nor very slow. His speeches generally short, from a quarter to a half an hour. His pronunciation was vulgar and vicious, but it was forgotten while he was speaking.

He was a man of very little knowledge of any sort; he read nothing, and had no books. Returning one November from Albemarle court, he borrowed of me Hume's Essays, in two volumes, saying he should have leisure in the winter for reading. In the spring he returned them, and declared he had not been able to go further than twenty or thirty pages in the first volume. He wrote almost nothing—he could not write. The resolutions of '75, which have been ascribed to him, have by many been supposed to have been written by Mr. Johnson, who acted as his second in that occasion; but if they were written by Henry himself, they are not such as to prove any power of composition.

Neither in politics nor in his profession was he a man of business; he was a man for debate only. His biographer says that he read Plutarch every year. I doubt whether he ever read a volume of it in his life. His temper was excellent, and he generally observed decorum in debate. On one or two occasions I have seen him angry, and his anger was terrible; those who witnessed it, were not disposed to rouse it again. In

his opinions he was yielding and practicable and not disposed to differ from his friends. In private conversation, he was agreeable and facetious, and, while in genteel society, appeared to understand all the decencies and properties of it; but, in his heart, he preferred low society, and sought it as often as possible. He would hunt in the pine woods of Fluvannah with overseers, and people of that description, living in a camp for a fortnight at a time without a change of raiment. I have often been astonished at his command of proper language; how he attained the knowledge of it, I never could find out, as he read so little and conversed little with educated men. After all, it must be allowed that he was our leader in the measures of the Revolution, in Virginia. In that respect more was due to him than any other person. If we had not had him we should probably have got on pretty well, as you did, by a number of men of nearly equal talents, but he left us all far behind. His biographer sent the sheets of his work to me as they were printed, and at the end asked my opinion. I told him it would be a question hereafter whether his work should be placed on the shelf of history or of panegyric. It is a poor book written in bad taste, and gives so imperfect an idea of Patrick Henry, that it seems intended to show off the writer more than the subject of the work. . . .

When Congress met, Patrick Henry and Richard Henry Lee opened the subject with great ability and eloquence. So much so, that Paca and Chase, dele-

gates from Maryland, said to each other as they returned from the House: "We shall not be wanted here; those gentlemen from Virginia will be able to do everything without us." But neither Henry nor Lee were men of business, and having made strong and eloquent general speeches, they had done all they could.

It was thought advisable that two papers should be drawn up, one, an address to the people of England, and the other, an address, I think, to the King. Committees were raised for these purposes, and Henry was at the head of the first, and Lee of the second.

When the address to the people of England was reported, Congress heard it with utter amazement. It was miserably written and good for nothing. At length Governor Livingston, of New Jersey, ventured to break silence. After complimenting the author, he said he thought some other ideas might be usefully added to his draft of the address. Some such paper had been for a considerable time contemplated, and he believed a friend of his had tried his hand in the composition of one. He thought if the subject were again committed, some improvement in the present draft might be made. It was accordingly recommitted, and the address which had been alluded to by Governor Livingston, and which was written by John Jay, was reported by the committee, and adopted as it now appears.

It is, in my opinion, one of the very best state papers which the Revolution produced. . . .



## THE IMPORTANCE OF LOUISIANA TO THE STATES

*By President Thomas Jefferson*

*IT IS made plain in the accompanying letters from Jefferson to Robert R. Livingston, American Minister at Paris, and, the second, to M. du Pont de Nemours, a Delaware powder manufacturer with influential French connections, that the retention of Louisiana by France would lead to war with the United States. Both letters were written by our third President, in Washington, April, 1802, shortly after news reached this country that Spain, by a secret treaty, had retroceded Louisiana and the Floridas to France. Also that Spain had withdrawn the right of deposit secured to the inhabitants of the United States by the treaty of 1795, and that the delivery was to be made at an early date.*

*Jefferson desired and was determined, so far as lay in his power, to keep the United States a self-sustained nation. This, he saw, would be impossible if France possessed the outlet of the Mississippi valley.*

THE cession of Louisiana and the Floridas by Spain to France, works most sorely on the United States. On this subject the Secretary of State has written to you fully, yet I cannot forbear recurring to it personally, so deep is the impression it makes on my mind. It completely reverses all the political relations of the United States, and will form a new epoch in our political course. Of all nations of any consideration, France is the one which, hitherto, has offered the fewest points on which we could have any conflict of right, and the

most points of a communion of interests. From these causes, we have ever looked to her as our natural friend, as one with which we never could have an

occasion of difference. Her growth, therefore, we viewed as our own, her misfortunes ours. There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market, and from its fertility it will ere long yield more than half of our whole produce, and contain more than half of our inhabitants.

France, placing herself in that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. Her pacific dispositions, her feeble state, would induce her to increase our facilities there, so that her possession of the place would be hardly felt by us, and it would not, perhaps, be very long before some circumstance might rise, which might make the cession of it to us the price of something of more worth to her. Not so can it ever be in the hands of France: the impetuosity of her temper, the energy and restlessness of her character, placed in a point of eternal friction with us, and our character, which, though quiet and loving peace and the pursuit of wealth, is high-minded, despising wealth in competition with insult or injury, enterprising and energetic as any nation on earth; these circumstances render it impossible that France and the United States can continue long friends, when they meet in so irritable a position. They, as well as we, must be blind if they do not see this; and we must be very improvident if we do not begin to make arrangements on that hypothesis.

The day that France takes possession of New Orleans, fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment, we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force, for which our resources place us on very high ground; and having formed and connected together a power which may render reinforcement of her settlements here impossible to France, make the first cannon which shall be fired in Europe the signal for the tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the United British and American nations.

This is not a state of things we seek or desire. It is one which this measure, if adopted by France, forces on us as necessarily, as any other cause, by the laws of nature, brings on its necessary effect. It is not from a fear of France that we deprecate this measure proposed by her. For however greater her force is than ours, compared in the abstract, it is nothing in comparison to ours, when to be exerted on our soil. But it is from a sincere love of peace, and a firm persuasion, that bound to France by the interests and the strong sympathies still existing in the minds of our citizens, and holding relative positions which insure their continuance, we are secure of a long course

of peace. Whereas, the change of friends, which will be rendered necessary if France changes that position, embarks us necessarily as a belligerent power in the first war of Europe. In that case, France will have held possession of New Orleans during the interval of a peace, long or short, at the end of which it will be wrested from her. Will this short-lived possession have been an equivalent to her for the transfer of such a weight into the scale of her enemy? Will not the amalgamation of a young, thriving nation, continue to that enemy the health and force which are at present so evidently on the decline? And will a few years' possession of New Orleans add equally to the strength of France?

She may say she needs Louisiana for the supply of her West Indies. She does not need it in time of peace, and in war she could not depend on them, because they would be so easily intercepted. I should suppose that all these considerations might, in some proper form, be brought into view of the government of France. Though stated by us, it ought not to give offense; because we do not bring them forward as a menace, but as consequences not controllable by us, but inevitable from the course of things. We mention them, not as things which we desire by any means, but as things we deprecate; and we beseech a friend to look forward and to prevent them for our common interest.

If France considers Louisiana, however, as indispensable for her views, she might perhaps be willing

to look about for arrangements which might reconcile it to our interests. If anything could do this, it would be the ceding to us the island of New Orleans and the Floridas. This would certainly, in a great degree, remove the causes of jarring and irritation between us, and perhaps for such a length of time, as might produce other means of making the measure permanently conciliatory to our interests and friendships. It would, at any rate, relieve us from the necessity of taking immediate measures for countervailing such an operation by arrangements in another quarter. But still we should consider New Orleans and the Floridas as no equivalent for the risk of a quarrel with France, produced by her vicinage.

I have no doubt you have urged these considerations, on every proper occasion, with the government where you are. They are such as must have effect, if you can find means of producing thorough reflection on them by that government. . . . Every eye in the United States is now fixed on the affairs of Louisiana. Perhaps nothing since the Revolutionary War, has produced more uneasy sensations through the body of the nation. Notwithstanding temporary bickerings have taken place with France, she has still a strong hold on the affections of our citizens generally. I have thought it not amiss, by way of supplement to the letters of the Secretary of State, to write you this private one, to impress you with the importance we affix to this transaction. . . .



I THINK it safe to enclose you my letters for Paris . . . I leave the letters for Chancellor Livingston open for your perusal. . . . I wish you to be possessed of the subject, because you may be able to impress on the government of France the inevitable consequences of their taking possession of Louisiana; and though, as I here mention, the cession of New Orleans and the Floridas to us would be a palliation, yet I believe it would be no more, and that this measure will cost France, and perhaps not very long hence, a war which will annihilate her on the ocean, and place that element under the despotism of two nations, which I am not reconciled to the more because my own would be one of them. Add to this the exclusive appropriation of both continents of America as a consequence.

I wish the present order of things to continue, and with a view to this I value highly a state of friendship between France and us. You know too well how sincere I have ever been in these dispositions to doubt them. You know, too, how much I value peace, and how unwillingly I should see any event take place which would render war a necessary resource; and that all our movements should change their character and object. I am thus open with you, because I trust that you will have it in your power to impress on that government considerations, in the scale against which the possession of Louisiana is nothing. In Europe, nothing but Europe is seen, or supposed to have any right in the affairs of nations; but this little event of

France's possessing herself of Louisiana, which is thrown in as nothing, as a mere make-weight in the general settlement of accounts,—this speck which now appears as an almost invisible point in the horizon, is the embryo of a tornado which will burst on the countries on both sides of the Atlantic, and involve in its effects their highest destinies. That it may yet be avoided is my sincere prayer; and if you can be the means of informing the wisdom of Bonaparte of all its consequences, you have deserved well of both countries. Peace and abstinence from European interferences are our objects, and so will continue while the present order of things in America remain uninterrupted. . . .

## HOW NAPOLEON PERSISTED IN SELLING LOUISIANA

*By Lucien Bonaparte*

**LUCIEN BONAPARTE** was a younger brother of Napoleon and Joseph, who participated in this account in his *Memoirs*, published in Paris in 1882. As ambassador to Spain Lucien had negotiated the secret treaty of 1800 by which Spain retroceded Louisiana to France.

Spain had possessed Louisiana since the treaty of 1763, which concluded the French and Indian War. In 1803 President Jefferson sent James Monroe to join Robert R. Livingston in Paris and negotiate with Napoleon for the island of New Orleans and the Floridas. To their astonishment Napoleon offered to sell the entire province.

\$20,000,000 was asked, and \$16,000,000 finally was accepted for the territory of over a million square miles, including \$4,000,000 for the debts which the United States was to assume. Napoleon hastened the sale because he doubted his ability to hold Louisiana against England, with whom he was at war.

**H**ERE you are at last!" exclaimed my brother, "I was afraid you were not coming. It is a fine time to go to the theater; I come to tell you a piece of news which will not make you feel like amusing yourself."

Continuing in the same tone, Joseph, replying to my question: "Do make haste and tell me what is up" said to me:

"No; you will not believe it, and yet it is true. I give you a thousand guesses; the general (we still called Napoleon in that way), the general wishes to alienate Louisiana."

"Bah! who will buy it from him?"

"The Americans."

I was thunderstruck for a moment.

"The idea! if he could wish, the Chambers would not consent to it."

"And therefore he expects to do without their consent. That is what he replied to me when I said to him, as you do now, that the Chambers would not consent to it."

"What, he really said that to you? That is a little too much! But no, it is impossible. It is a bit of brag at your expense, as the other day on the subject of Bernadotte."

"No, no," insisted Joseph, "he spoke very seriously, and, what is more, he added to me that this sale would furnish him the first funds for war." . . .

We talked together for a considerable time about the little coup d'état which seemed to us to exceed in arbitrariness everything that had been accomplished under the Convention and the Directory. . . .

It had become late. The plan of going to the theater was given up, and we separated, not without having agreed that I first should go the next morning to pay a visit to the First Consul.

It was decided that Joseph should follow me pretty closely, without our seeming to have come to a mutual understanding, that I was not to take the initiative in regard to the sale in question, but wait until the Consul himself should mention it to me. In case he should ask me whether Joseph had spoken to me about it, I was authorized to say that he had done so, and even that he seemed to me alarmed about it. Up to that point, everything that I should deem fitting to

add or to object, according to what the Consul should say to me, was left to my judgment. . . .

I went over, decided upon, and modified one after the other my most convincing reasons to make the Consul renounce if not his plan of alienating the colony, at least that of not consulting the Chambers about it, more and more persuaded as I was by reflection that the discussion would end in the way that I desired. . . .

I still believe firmly to-day that if the plan of the Consul had been submitted to the Chambers, it would have been rejected by a very large majority; for after all what worse thing could happen to us, in case of sacrifices necessary to obtain peace, if we were at war with the English, or with any other government, than to cede one of our finest colonies for eighteen millions?

It was on this way of considering the renunciation projected that I founded the greatest probability of the success of our opposition. These eighteen millions seemed to me besides, as I still think them to-day, after so many years, a miserable and pitiable compensation. . . .

The next morning I betook myself to the Tuileries, where I was immediately shown up to my brother, who had just got into his bath. I found him in excellent humor. He began by speaking to me of the first night at which he had been present, astonished and sorry that we had not gone to join him. . . .



It was almost time to leave the bath, and we had not discussed Louisiana any more than we had the year forty. I was vexed at it, but the nearer the last moment of speaking of it approached, the more I put off doing so. The body-servant was already holding the sheet and prepared to wrap his master in: I was about to leave the place, when Rustan scratched at the door like a cat.

"Let him come in," said the First Consul, "I will stay in the water a quarter of an hour longer."

It is known that he liked very much to stay there a long time, when there was no pressing business. I had time to make a sign to the newcomer that I had not yet spoken of anything, and I saw that he was himself embarrassed as to when and how he was to broach the subject, if our brother did not give him some pretext for it.

His irresolution and my suppositions did not last long, for all at once the Consul said to Joseph:

"Well, brother, so you have not spoken to Lucien?"

"About what?" said Joseph.

"About our plan in regard to Louisiana, you know?"

"About yours, my dear brother, you mean? You can not have forgotten that far from being mine"——

"Come, come, preacher—But I have no need of discussing that with you: you are so obstinate—With Lucien I speak more willingly of serious matters; for though he sometimes takes it into his head to oppose me, he knows how to give in to my opinion, Lucien

does, when I see fit to try to make him change his." . . .

Joseph was showing annoyance at our conversation, the tone of which was more friendly than anything else, when finally he said to the Consul, rather brusquely:

"Well, you still say nothing of your plan?"

"Oh! yes," said the Consul, "but it is late, and if Lucien will wait for me in my study with you, mister grumbler, I will join you soon: do me the favor to recall my body-servant, it is absolutely necessary for me to leave the bath. Know merely, Lucien, that I have decided to sell Louisiana to the Americans."

I thought I ought to show very moderate astonishment at this piece of news supposed to be unknown to me. Knowing very well that an opportunity would be given me to show more, I mean at his intention to dispose of it by his own will, without speaking of it to the Chambers, I contented myself with saying: "Ah! ah!" in that tone of curiosity which shows the desire to know the rest of what has been begun rather than it signifies approbation or even the contrary.

This apparent indifference made the first Consul say: "Well, Joseph, you see! Lucien does not make an outcry about that as you do. Yet he would almost have a right to do so, for his part; for after all Louisiana is his conquest." . . .

"As for me, I assure you," replied Joseph, "that if Lucien says nothing, he thinks none the less."

"Truly? And why should he play the diplomat with me?"

Brought into prominence in a way that I did not expect, and as they say, at a standstill, I could not delay explaining myself, and, to tell the truth, I was not sorry for it. But, as the Consul did not ask my opinion upon the heart of the question, which was not the greater or less fitness of the sale, I contented myself with saying . . . that it was true that on this subject I thought as Joseph. "I flatter myself," I added in a tone which I tried to make the least hostile possible, "I flatter myself that the Chambers will not give their consent to it."

"You flatter yourself?" (This was said in a significant tone and air of surprise.) "That is fine, in truth," murmured the Consul lower, at the same time that Joseph was exclaiming with an air of triumph:

"And I too flatter myself so, and that is what I told the first Consul."

"And what did I answer you?" said my brother pretty sharply looking at us successively, as if that the expression of our faces might not escape him.

"You answered me that you would do without the consent of the Chambers: is not that it?"

"Precisely: that it what I have taken the great liberty of saying to Mr. Joseph, and what I repeat here to citizen Lucien, begging him to tell me his opinion about it also, himself, apart from his paternal tenderness for his diplomatic conquest." . . .

The discussion perhaps would have stopped there to our great regret, and we were about to start for the door, to leave the Consul free to come out of his bath; he had already made a movement to do so and his body-servant was still holding his sheet spread out, ready to receive his master and to dry him by wrapping him in it, when this master, changing his mind all at once, said to us loud enough to make us turn round:

"And then, gentlemen, think what you please about it, but give this affair up as lost both of you; you, Lucien, on account of the sale in itself, you, Joseph, because I shall get along without the consent of any one whomsoever, do you understand?"

I admit that in the presence of the body-servant I felt hurt at this profession of faith on so delicate a subject, and that there escape from me a smile of astonishment at least, which, I have reason to believe, betrayed my thought, and perhaps even more than my thought of the moment, and in spite of the absolute silence which I maintained, was perhaps the distant or preparatory cause of the tempest which was brewing, not in a tea-pot, according to the proverb, but rather in the bathtub of him who was beginning to make all the sovereigns of Europe quake.

It was Joseph who furnished the final cause, to continue to speak like the disciples of Æsculapius, of the development of this tempest, because, in reply to this really very inconsiderate affirmation on the part of the chief magistrate of the Republic, followed by

his "do you understand," Joseph said to him approaching the bathtub again:

"And you will do well, my dear brother, not to expose your plan to parliamentary discussion, for I declare to you that I am the first one to place himself, if it is necessary, at the head of the opposition which can not fail to be made to you."

I was preparing to support Joseph on the same side, if in a tone not so vehement, when the more than Olympian bursts of laughter of the first Consul checked all at once the word on my lips. Since this laugh was evidently forced, it did not last long, and Joseph, become redder and redder from anger and almost stuttering, said:

"Laugh, laugh, laugh, then! None the less I will do what I say, and although I do not like to mount the tribune, this time they shall see me there."

At these words, the Consul, lifting himself half way out of the bath-tub in which he had sunk down again, said to him in a tone which I will call energetically serious and solemn:

"You will have no need to stand forth as orator of the opposition, for I repeat to you that this discussion will not take place, for the reason that the plan which is not fortunate enough to obtain your approbation, conceived by me, negotiated by me, will be ratified and executed by me all alone, do you understand? By me who snap my fingers at your opposition."

After these words, the Consul sank down tranquilly in the waves whitened with Cologne-water of his



bath-tub. But Joseph, in the tone of the greatest anger, with which his very handsome face seemed inflamed, replied to him immediately:

"Very well! I tell you, general, that you, I, all of us, if you do what you say, may get ready to go and rejoin in a short time the poor innocent devils whom you have so legally, so humanely, above all so justly caused to be transported to Sinnamary."

The blow was struck hard. Useless and silent censurer of this scene between my two elder brothers, I wished and did not dare to leave it. I may say that I felt painfully the offense of these severe and only too just words for him to whom they were addressed. However, I did not have time to linger over it, for there followed an aquatic explosion from which I was luckily protected by my position somewhat distant from the bath-tub, an explosion which had been caused by the rising first and then the sudden sinking down again of the Consul in his bath-tub, the whole accompanied by these words addressed only to Joseph:

"You are an insolent fellow! I ought——"

I did not hear the rest, and I believe that nothing followed this beginning of a sentence. I observed only then that following the difference existing between the two characters, exasperated, as it seemed to me, to the same pitch, the paleness of the Consul contrasted singularly with the redness of Joseph; and finding myself by my sort of silent neutrality in the midst of sharp or offensive remarks, which had been

exchanged, as it were raised to the height of the rôle of peacemaker, and yet not wishing to pose as one, I tried to attain this end, by seeming to take what was going on as a sort of joke, and I quoted rather gaily, with a bombastic accent, the famous "Quos ego . . ." of Vergil; for in fact the image of Neptune rebuking the waves let loose in spite of him had seemed to my mind just a little ludicrous, and the "I ought" of the Neptune of the bath-tub alone reaching my ear completed for me in action at least in parody the literary translation of the celebrated reticence, the first subject of admiration for young Latinists. It is of course understood that it was only to the unsuccessful rebellion of the winds that I was supposed to compare that of my brother Joseph, while I decreed the honor of the irritated divinity to the proper person, that which each one besides understood perfectly well.

The scene had changed its aspect, or rather it had, so to speak, collapsed. Joseph, splashed to the extent of the immersion of his clothes and his face, had received all over him the most copious injection. But apparently, the nature of this perfumed flood had calmed his anger, which, in him, was never more than superficial and shortlived, for he contented himself with letting himself be sponged and dried off by the body-servant, who, to my great regret, had remained a witness of this serious folly between such actors.

## THE NECESSITY OF A CONSTITUTION

*By Alexander Hamilton*

*HERE are two of the eighty-five celebrated essays on the Constitution of the United States which were written and published, under the title of The Federalist, by Alexander Hamilton, James Madison and John Jay in the years 1787 and 1788. In newspaper and pamphlet form The Federalist had a wide circulation, and its influence was conspicuous in turning popular opinion in favor of the Constitution.*

*Following its translation into French, in 1792, Hamilton and Madison were granted honorary citizenship by vote of the National Assembly of France. It is ranked among the most distinguished contributions to political literature, and its reception as a contemporary interpretation of the Constitution by the two men pre-eminently concerned in its formation and adoption more than fulfill Washington's modest forecast that The Federalist would "merit the notice of posterity."*

attention under the succeeding head.

The principal purposes to be answered by union are these—the common defense of the members; the preservation of the public peace as well against in-

THE necessity of a Constitution, at least equally energetic with the one proposed, to the preservation of the Union, is the point at the examination of which we are now arrived.

This inquiry will naturally divide itself into three branches—the objects to be provided for by the federal government, the quantity of power necessary to the accomplishment of those objects, the persons upon whom that power ought to operate. Its distribution and organization will more properly claim our

ternal convulsions as external attacks; the regulation of commerce with other nations and between the States; the superintendence of our intercourse, political and commercial, with foreign countries.

The authorities essential to the common defense are these: to raise armies; to build and equip fleets; to prescribe rules for the government of both; to direct their operations; to provide for their support. These powers ought to exist without limitation, because it is impossible to foresee or define the extent and variety of national exigencies, or the correspondent extent and variety of the means which may be necessary to satisfy them. The circumstances that endanger the safety of nations are infinite, and for this reason no constitutional shackles can wisely be imposed on the power to which the care of it is committed. This power ought to be coextensive with all the possible combinations of such circumstances; and ought to be under the direction of the same councils which are appointed to preside over the common defense.

This is one of those truths which, to a correct and unprejudiced mind, carries its own evidence along with it; and may be obscured, but cannot be made plainer by argument or reasoning. It rests upon axioms as simple as they are universal; the means ought to be proportioned to the end; the persons, from whose agency the attainment of any end is expected, ought to possess the means by which it is to be attained.

Whether there ought to be a Federal government intrusted with the care of the common defense, is a question in the first instance, open for discussion; but the moment it is decided in the affirmative, it will follow that that government ought to be clothed with all the powers requisite to complete execution of its trust. And unless it can be shown that the circumstances which may affect the public safety are reducible within certain determinate limits; unless the contrary of this position can be fairly and rationally disputed, it must be admitted, as a necessary consequence, that there can be no limitation of that authority which is to provide for the defense and protection of the community, in any matter essential to its efficacy—that is, in any matter essential to the formation, direction, or support of the national forces.

Defective as the present Confederation has been proved to be, this principle appears to have been fully recognized by the framers of it; though they have not made proper or adequate provision for its exercise. Congress has an unlimited discretion to make requisitions of men and money; to govern the army and navy; to direct their operations. As their requisitions are made constitutionally binding upon the States, who are in fact under the most solemn obligations to furnish the supplies required of them, the intention evidently was that the United States should command whatever resources were by them judged requisite to the “common defense and general welfare.” It was presumed that a sense of their true interests, and a



regard to the dictates of good faith, would be found sufficient pledges for the punctual performance of the duty of the members to the federal head.

The experiment has, however, demonstrated that this expectation was ill-founded and illusory; and the observations, made under the last head, will, I imagine, have sufficed to convince the impartial and discerning, that there is an absolute necessity for an entire change in the first principles of the system; that if we are in earnest about giving the Union energy and duration, we must abandon the vain project of legislating upon the States in their collective capacities; we must extend the law of the Federal government to the individual citizens of America; we must discard the fallacious scheme of quotas and requisitions, as equally impracticable and unjust. The result from all this is that the Union ought to be invested with full power to levy troops; to build and equip fleets and to raise the revenues which will be required for the formation and support of an army and navy, in the customary and ordinary modes practiced in other governments.

If the circumstances of our country are such as to demand a compound instead of a simple, a confederate instead of a sole, government, the essential point which will remain to be adjusted will be to discriminate the objects, as far as it can be done, which shall appertain to the different provinces or departments of power; allowing to each the most ample authority for fulfilling the objects committed to its charge. Shall

the Union be constituted the guardian of the common safety? Are fleets and armies and revenues necessary to this purpose? The government of the Union must be empowered to pass all laws, and to make all regulations which have relation to them. The same must be the case in respect to commerce, and to every other matter to which its jurisdiction is permitted to extend. Is the administration of justice between the citizens of the same State the proper department of the local governments? These must possess all the authorities which are connected with this object, and with every other that may be allotted to their particular cognizance and direction. Not to confer in each case a degree of power commensurate to the end, would be to violate the most obvious rules of prudence and propriety, and improvidently to trust the great interests of the nation to hands which are disabled from managing them with vigor and success.

Who is likely to make suitable provisions for the public defense, as that body to which the guardianship of the public safety is confided; which, as the center of information, will best understand the extent and urgency of the dangers that threaten; as the representative of the whole, will feel itself most deeply interested in the preservation of every part; which, from the responsibility implied in the duty assigned to it, will be most sensibly impressed with the necessity of proper exertions; and which, by the extension of its authority throughout the plans and measures by which the common safety is to be

secured? Is there not a manifest inconsistency in devolving upon the Federal government the care of the general defense, and leaving in the State governments the effective powers by which it is to be provided for? Is not a want of coöperation the infallible consequence of such a system? And will not weakness, disorder, an undue distribution of the burdens and calamities of war, an unnecessary and intolerable increase of expense, be its natural and inevitable concomitants? Have we not had unequivocal experience of its effects in the course of the revolution which we have just accomplished?

Every view we may take of the subject, as candid inquirers after truth, will serve to convince us, that it is both unwise and dangerous to deny the federal government an unconfined authority, as to all those objects which are intrusted to its management. It will indeed deserve the most vigilant and careful attention of the people, to see that it be modeled in such a manner as to admit of its being safely vested with requisite powers. If any plan which has been, or may be, offered to our consideration, should not, upon a dispassionate inspection, be found to answer this description, it ought to be rejected. A government, the Constitution of which renders it unfit to be trusted with all the powers which a free people ought to delegate to any government, would be an unsafe and improper depositary of the national interests. Wherever these can with propriety be confided, the coincident powers may safely

accompany them. This is the true result of all just reasoning upon the subject. And the adversaries of the plan promulgated by the convention ought to have confined themselves to showing, that the internal structure of the proposed government was such as to render it unworthy of the confidence of the people. They ought not to have wandered into inflammatory declamations and unmeaning cavils about the extent of the powers. The powers are not too extensive for the objects of Federal administration, or, in other words, for the management of our national interests; nor can any satisfactory argument be framed to show that they are chargeable with such an excess. If it be true, as has been insinuated by some of the writers on the other side, that the difficulty arises from the nature of the thing, and that the extent of the country will not permit us to form a government in which such ample powers can safely be reposed, it would prove that we ought to contract our views, and resort to the expedient of separate confederacies, which will move within more practicable spheres. For the absurdity must continually stare us in the face of confiding to a government the direction of the most essential national interests, without daring to trust it to the authorities which are indispensable to their proper and efficient management. Let us not attempt to reconcile contradictions, but firmly embrace a rational alternative.

I trust, however, that the impracticability of one general system cannot be shown. I am greatly mis-

taken, if any thing of weight has yet been advanced of this tendency; and I flatter myself, that the observations which have been made in the course of these papers have served to place the reverse of that position in as clear a light as any matter still in the womb of time and experience can be susceptible of. This, at all events, must be evident, that the very difficulty itself, drawn from the extent of the country, is the strongest argument in favor of an energetic government; for any other can certainly never preserve the Union of so large an empire. If we embrace the tenets of those who oppose the adoption of the proposed Constitution, as the standard of our political creed, we cannot fail to verify the gloomy doctrines which predict the impracticability of a national system pervading entire limits of the present Confederacy.



## VIEW OF THE POWERS VESTED IN THE UNION

*By James Madison*

THE Constitution proposed by the convention may be considered under two general points of view. The first relates to the sum or quantity of power which it vests in the government, including the restraints imposed on the States. The second, to the particular structure of the government, and the distribution of this power among its several branches.

Under the first view of the subject, two important questions arise: 1. Whether any part of the powers transferred to the general government be unnecessary or improper? 2. Whether the entire mass of them be dangerous to the portion of jurisdiction left in the several States?

Is the aggregate power of the general government greater than ought to have been vested in it? This is the first question.

It cannot have escaped those who have attended with candor to the arguments employed against the extensive powers of the government, that the authors of them have very little considered how far these powers were necessary means of attaining a necessary end. They have chosen rather to dwell on the inconveniences which must be unavoidably blended with all political advantages; and on the possible abuses

which must be incident to every power or trust of which a beneficial use can be made. This method of handling the subject cannot impose on the good-sense of the people of America. It may display the subtlety of the writer; it may open a boundless field of rhetoric and declamation; it may inflame the passions of the unthinking, and may confirm the prejudices of the misthinking: but cool and candid people will at once reflect, that the purest of human blessings must have a portion of alloy in them; that the choice must always be made, if not of the lesser evil, at least of the greater, not the perfect, good; and that, in every political institution, a power to advance the public happiness involves a discretion which may be misapplied and abused. They will see, therefore, that in all cases where power is to be conferred, the point first to be decided is, whether such a power be necessary to the public good; as the next will be, in case of an affirmative decision, to guard as effectually as possible against a perversion of the power to the public detriment.

That we may form a correct judgment on this subject, it will be proper to review the several powers conferred on the government of the Union; and that this may be the more conveniently done, they may be reduced into different classes as they relate to the following different objects: 1. Security against foreign danger; 2. Regulation of the intercourse with foreign nations; 3. Maintenance of harmony and proper intercourse among the States; 4. Certain miscellaneous

objects of general utility; 5. Restraint of the States from certain injurious acts; 6. Provisions for giving due efficacy to all these powers.

The powers falling within the first class are those of declaring war, and granting letters of marque; of providing armies and fleets; of regulating and calling forth the militia; of levying and borrowing money.

Security against foreign danger is one of the primitive objects of civil society. It is an avowed and essential object of the American Union. The powers requisite for attaining it must be effectually confided to the Federal councils.

Is the power of declaring war necessary? No man will answer this question in the negative. It would be superfluous, therefore, to enter into a proof of the affirmative. The existing confederation establishes this power in the most ample form.

Is the power of raising armies and equipping fleets necessary? This is involved in the foregoing power. It is involved in the power of self-defense.

But was it necessary to give an indefinite power of raising troops, as well as providing fleets; and of maintaining both in peace as well as in war?

The answer to these questions has been too far anticipated in another place to admit an extensive discussion of them in this place. The answer indeed seems to be so obvious and conclusive, as scarcely to justify such a discussion in any place. With what color of propriety could the force necessary for defense be limited by those who cannot limit the force

of offense? If a Federal Constitution could chain the ambition, or set bounds to the exertions of all other nations, then indeed might it prudently chain the discretion of its own government, and set bounds to the exertions for its own safety.

How could a readiness for war in time of peace be safely prohibited, unless we could prohibit, in like manner, the preparations and establishments of every hostile nation? The means of security can only be regulated by the means and the danger of attack. They will in fact be ever determined by these rules, and by no others. It is in vain to oppose constitutional barriers to the impulse of self-preservation. It is worse than in vain: because it plants in the Constitution itself necessary usurpations of power, every precedent of which is a germ of unnecessary and multiplied repetitions. If one nation maintains constantly a disciplined army, ready for the service of ambition or revenge, it obliges the most pacific nations, who may be within the reach of its enterprises, to take corresponding precautions. . . .

The clearest marks of this prudence are stamped on the proposed Constitution. The Union itself, which it cements and secures, destroys every pretext for a military establishment which could be dangerous. America united, with a handful of troops, or without a single soldier, exhibits a more forbidding posture to foreign ambition, than America disunited with a hundred thousand veterans ready for combat. It was remarked, on a former occasion, that the want

of this pretext had saved the liberties of one nation in Europe. Being rendered, by her insular situation and her maritime resources, impregnable to the armies of her neighbors, the rulers of Great Britain have never been able, by real or artificial dangers, to cheat the public into an extensive peace establishment. The distance of the United States from the powerful nations of the world, gives them the same happy security. . . .

This picture of the consequences of disunion cannot be too highly colored or too often exhibited. Every man who loves peace; every man who loves his country; every man who loves liberty, ought to have it ever before his eyes, that he may cherish in his heart a due attachment to the Union of America, and be able to set a due value on the means of preserving it.

Next to the effectual establishment of the Union, the best possible precaution against danger from standing armies is a limitation of the term for which revenue may be appropriated to their support. This precaution the constitution has prudently added. I will not repeat here the observations, which I flatter myself have placed this subject in a just and satisfactory light. But it may not be improper to take notice of an argument against this part of the constitution, which has been drawn from the policy and practice of Great Britain. It is said that the continuance of an army in that kingdom requires an annual vote of the legislature, whereas the American constitution has



lengthened this critical period to two years. This is the form in which the comparison is usually stated to the public: but is it a just form? is it a fair comparison? Does the British constitution restrain the parliamentary discretion to one year? Does the American impose on the congress appropriations for two years? On the contrary, it cannot be unknown to the authors of the fallacy themselves, that the British constitution fixes no limit whatever to the discretion of the legislature, and that the American ties down the legislature to two years, as the longest admissible term.

Had the argument from the British example been truly stated, it would have stood thus: the term for which supplies may be appropriated to the army establishment, though unlimited by the British constitution, has nevertheless in practice been limited by parliamentary discretion to a single year. Now, if in Great Britain,—where the House of Commons is elected for seven years, where so great a proportion of the members are elected by so small a proportion of the people, where the electors are so corrupted by the representatives, and the representatives so corrupted by the crown,—the representative body can possess a power to make appropriations to the army for an indefinite term, without desiring, or without daring, to extend the term beyond a single year; ought not suspicion herself to blush in pretending that the representatives of the United States, elected freely by the whole body of the people, every second year, cannot

be safely intrusted with a discretion over such appropriations, expressly limited to the short period of two years?

A bad cause seldom fails to betray itself. Of this truth, the management of the opposition to the Federal government is an unvaried exemplification. But among all the blunders which have been committed, none is more striking than the attempt to enlist on that side the prudent jealousy entertained by the people, of standing armies. The attempt has awakened fully the public attention to that important subject; and has led to investigations which must terminate in a thorough and universal conviction, not only that the Constitution has provided the most effectual guards against danger from that quarter, but that nothing short of a Constitution fully adequate to the national defense, and the preservation of the Union, can save America from as many standing armies as it may be split into States or confederacies; and from such a progressive augmentation of these establishments in each, as will render them as burdensome to the properties, and ominous to the liberties of the people, as any establishment that can become necessary, under a united and efficient government, must be tolerable to the former and safe to the latter.

The palpable necessity of the power to provide and maintain a navy has protected that part of the Constitution against a spirit of censure which has spared few other parts. It must indeed be numbered among the greatest blessings of America, that as her Union

will be the only source of her maritime strength, so this will be a principal source of her security against danger from abroad. In this respect our situation bears another likeness to the insular advantage of Great Britain. The batteries most capable of repelling foreign enterprises on our safety are happily such as can never be turned by a perfidious government against our liberties.

The inhabitants of the Atlantic frontier are all of them deeply interested in this provision for naval protection. If they have hitherto been suffered to sleep quietly in their beds; if their property has remained safe against the predatory spirit of licentious adventurers; if their maritime towns have not yet been compelled to ransom themselves from the terrors of a conflagration, by yielding to the exactions of daring and sudden invaders, these instances of good fortune are not to be ascribed to the capacity of the existing government for the protection of those from whom it claims allegiance, but to causes that are fugitive and fallacious. If we except perhaps Virginia and Maryland, which are peculiarly vulnerable on their eastern frontiers, no part of the Union ought to feel more anxiety on this subject than New York. Her sea-coast is extensive. A very important district of the State is an island. The State itself is penetrated by a large navigable river for more than fifty leagues. The great emporium of its commerce, the great reservoir of its wealth, lies every moment at the mercy of events, and may be almost regarded as a hostage for

ignominious compliances with the dictates of a foreign enemy; or even with the rapacious demands of pirates and barbarians. Should a war be the result of the precarious situation of European affairs, and all the unruly passions attending it be let loose on the ocean, our escape from insults and depredations, not only on that element, but every part of the other bordering on it, will be truly miraculous. In the present condition of America, the States more immediately exposed to these calamities have nothing to hope from the phantom of a general government which now exists; and if their single resources were equal to the task of fortifying themselves against the danger, the objects to be protected would be almost consumed by the means of protecting them.







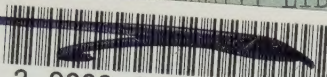


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